Digitized by the Internet Archive
in 2020 with funding from
State Library of North Carolina

https://archive.org/details/dailybulletin00univ_1

G41
5:2004/1

N.C. DOCUMENTS
CLEARINGHOUSE
OCT 2 4

Daily Bulletin

STATE LIBRARY OF NORTH CAROLINA

ACTIONS BY THE NORTH CAROLINA GENERAL ASSEMBLY

Institute *of* Government—School of Government
The University of North Carolina at Chapel Hill
Legislative Reporting Service, Box 7294 State Legislative Building, Raleigh, NC 27601
Phone 919.733.2484 Fax 919.715.3464

House Legislative Day 104 Vol. 2004, No. 1 Senate Legislative Day 106

Monday, May 10, 2004

The 2004 session of the North Carolina General Assembly convened at noon on Monday, May 10, 2004. Bills on the following matters may be considered in the 2004 session: (1) bills directly affecting the budget for fiscal year 2004-2005; (2) bills introduced in 2003 and having passed third reading in the house of introduction and not unfavorably disposed of in the other house; (3) bills implementing recommendations of study and statutory commissions; (4) noncontroversial local bills; (5) selection, appointment, or confirmation of members of state boards and commissions; (6) any matter authorized by joint resolution passed by two-thirds vote of the House and Senate; (7) bills primarily affecting state or local retirement plans; and (8) bills and resolutions regarding state government reorganization, memorial resolutions, adjournment resolutions, resolutions disapproving administrative rules, and proposed constitutional amendments.

The following bill introduction deadlines apply in the 2004 session: May 19 for study bills; May 26 for noncontroversial local bills and retirement system bills; and May 27 for budget bills. Since adjournment of the 2003 session, the following changes have occurred in the membership of the General Assembly. In the House, Susan C. Fisher was appointed to replace Martin L. Nesbitt, Jr., who was appointed to the Senate, and Fred F. Steen was appointed to replace W. Eugene McCombs, who died on January 20, 2004. In the Senate, Woody White was appointed to replace Patrick Ballantine, who resigned, Ralph Hunt was appointed to replace Wib Gulley, who resigned, and Martin L. Nesbitt, Jr., was appointed to replace Steven Metcalf, who resigned.

BILLS INTRODUCED TODAY

BILL #	SHORT TITLE	IDEN	COMMITTEE	GS INDEX OR COUNTIES AFFECTED
H 1342	HONOR EUGENE MCCOMBS		RULES	JT RES
H 1343	MOPED ID TAGS		RULES	20
H 1344	HIGHWAY TRUST FUND CHANGES		RULES	136
H 1345	DOT TECHNICAL CORRECTION		RULES	136
H 1346	INTEREST ON HIGHWAY CONDEMNATION AWARDS		RULES	136
H 1347	PENDER COURT PERSONNEL FUNDS		RULES	APPROP
H 1348	CAMDEN COUNTY OCCUPANCY TAX		RULES	CAMDEN
H 1349	COLUMBUS FOX HUNTING/TRAPPING		RULES	COLUMBUS
H 1350	CHADBOURN MAYOR'S TERM		RULES	COLUMBUS
H 1351	LOCAL OPTION EDUCATION LOTTERY		RULES	120, 143D, STUDIES
H 1352	EMERGENCY FUNDING FOR ONE NC & NEIT		RULES	APPROP
S1032	HONORING MAGGIE SETZER PYLANT		PASSED 2ND & 3RD	JT RES
S1042	MARRIAGE BY SUPERIOR/DISTRICT COURT JUDGE		PASSED 2ND & 3RD	51

This publication is printed on permanent, acid-free paper in compliance with the North Carolina General Statutes.
Institute of Government—School of Government
The University of North Carolina at Chapel Hill
© 2004

SUMMARIES OF BILLS INTRODUCED TODAY

SENATE BILLS

S 1032. HONORING MAGGIE SETZER PYLANT. *HONORING THE MEMORY OF MAGGIE SETZER PYLANT FOR WHOM THE TOWN OF MAGGIE VALLEY IS NAMED UPON THE TOWN'S CENTENNIAL OBSERVANCE.* As title indicates.
Intro. by Queen.
Passed 2nd & 3rd JOINT RES

S 1042. MARRIAGE BY SUPERIOR/DISTRICT COURT JUDGE. *TO ALLOW A SUPERIOR COURT JUDGE OR A DISTRICT COURT JUDGE TO PERFORM MARRIAGE CEREMONIES.* Amends GS 51-1 as title indicates. Act expires June 6, 2004.
Intro. by Rand.
Passed 2nd& 3rd GS 51

HOUSE BILLS

H 1342. HONORING EUGENE MCCOMBS. *HONORING THE LIFE AND MEMORY OF WILLARD EUGENE "GENE" MCCOMBS, FORMER MEMBER OF THE GENERAL ASSEMBLY.* As title indicates.
Intro. by Mitchell, Coates, Steen.
Ref. to Rules JOINT RES

H 1343. MOPED ID TAGS. *TO REQUIRE MOPED IDENTIFICATION TAGS.* Enacts new GS 20-71.6 requiring that all mopeds display identification tag as approved by Comm'r of Motor Vehicles. Authorizes moped dealer to charge purchaser up to $25 for each tag. Makes moped dealer's failure to attach a tag or the operation of a moped without a tag a Class 3 misdemeanor. Effective Oct. 1, 2004.
Intro. by Crawford.
Ref. to Rules GS 20

H 1344. HIGHWAY TRUST FUND CHANGES. *TO AMEND THE HIGHWAY TRUST FUND TO DEFINE THE INTRASTATE HIGHWAY SYSTEM OF THE STATE AND TO MAKE THE INTRASTATE SYSTEM ELIGIBLE FOR HIGHWAY TRUST FUNDS.* Amends GS 136-175(1) to redefine "intrastate system" as network of major, multilane arterial highways composed of those routes, segments, or corridors listed in GS 136-178 and any other route added by Dep't of Transportation under GS 136-178. Amends GS 136-178 to describe specific route segments or corridors for which funds may be allocated from trust fund for intrastate system. Amends GS 136-182 to delete provision concerning when supplement for secondary road construction must be discontinued
Intro. by Crawford.
Ref. to Rules GS 136

H 1345. DOT TECHNICAL CORRECTION. *TO MAKE A TECHNICAL CORRECTION TO THE HIGHWAY TRUST FUND STATUTES.* Amends GS 136-180(a) to change reference to "Lewis-Fleming" Road to "Lewiston-Fleming."
Intro. by Crawford.
Ref. to Rules GS 136

H 1346. INTEREST ON HIGHWAY CONDEMNATION AWARDS. *TO MODIFY THE RATE OF INTEREST ALLOWED ON HIGHWAY CONDEMNATION AWARDS.* Amends GS 136-113 to provide that interest on awards shall be the average rate earned by State Treasurer on investments in Short Term Fixed Investment Fund during month preceding judgment (was, rate established in GS 24-1). Applies to condemnation actions filed on or after Jan. 1, 2005.
Intro. by Crawford.
Ref. to Rules GS 136

H 1347. PENDER COURT PERSONNEL FUNDS. *TO APPROPRIATE FUNDS FOR A NEW DEPUTY CLERK OF COURT AND A NEW ASSISTANT CLERK OF COURT IN PENDER COUNTY.* As title indicates.

Appropriates from the General Fund to the Judicial Dep't $34,047 for deputy clerk and $39,006 for assistant clerk positions for 2004-05. Effective July 1, 2004.
Intro. by Wright.
Ref. to Rules APPROP

H 1348. CAMDEN COUNTY OCCUPANCY TAX. *TO AUTHORIZE CAMDEN COUNTY TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX.* Authorizes tax of up to 6% of gross receipts. Requires that tax be levied in accordance with GS 153A-155 (by resolution) and that at least two-thirds of funds recovered be used to promote travel and tourism in Camden County and the remainder for tourism-related expenses. Establishes county Tourism Development Authority.
Intro. by Owens.
Ref. to Rules CAMDEN

H 1349. COLUMBUS FOX HUNTING/TRAPPING. *TO ESTABLISH SEASONS FOR HUNTING AND TRAPPING FOXES IN COLUMBUS COUNTY.* Sets season for hunting from Dec. 1 through Jan. 1 and for trapping from Jan. 2 through Jan. 31 each year. Effective Oct. 1, 2004.
Intro. by Hill.
Ref. to Rules COLUMBUS

H 1350. CHADBOURN MAYOR'S TERM. *TO PROVIDE A FOUR-YEAR TERM FOR THE MAYOR OF THE TOWN OF CHADBOURN.* Amends Chadbourn charter as title indicates. Effective with 2003 municipal election.
Intro. by Hill.
Ref. to Rules COLUMBUS

H 1351. LOCAL OPTION EDUCATION LOTTERY. *GIVING COUNTIES THE AUTHORITY TO ALLOW THE OPERATION OF A LOTTERY IN THAT COUNTY, TO PROVIDE FOR STATE REGULATION OF LOCALLY APPROVED LOTTERY OPERATIONS, AND TO DISTRIBUTE TO EACH COUNTY AND THE CITIES LOCATED IN THE COUNTY TWENTY-FIVE PERCENT OF THE NET PROCEEDS OF LOTTERY OPERATIONS TO THE COUNTIES FOR SCHOOL CONSTRUCTION.* Adds new Ch. 143D as title indicates. GS 143D-3 provides that upon receipt of a written request from the board of comm'rs of a county, county board of elections shall schedule an election on the question of the operation of a lottery in that county. GS 143D-10 establishes a State Lottery Comm'n, consisting of five members appointed by the Governor and subject to confirmation by the General Assembly. GS 143D-3(c) requires that Comm'n operate a lottery in those counties approving the lottery when the majority of voters in a least 25 counties have approved the operation of lottery and informed the Governor of this action. GS 143D-13 creates the office of the Director of the Comm'n to administer the operation of the lottery and perform other delineated duties. GS 143D-21 establishes standards for awarding contracts for major procurements and selecting lottery vendors. GS 143D-32 authorizes the Comm'n to determine the types of games offered by the lottery but prohibits the following games: those that are based upon the outcome of a sporting event; those that use tickets or shares that do not have unique numbers distinguishing them from other tickets or shares, or that include the name or photograph of an elected official; or those that use a computer terminal or other electronic device to dispense coins or currency from the device. GS 143D-33 provides that the Comm'n shall allocate at least 50% or the total projected lottery revenues for the award of prizes. Art. 5 requires that lottery game retailers obtain a permit from the Comm'n and establishes qualifications for those permits. Further provides that the Comm'n shall establish license fees and the compensation to be paid each retailer and establishes standards for transfer, suspension and revocation of permits. GS 143D-56 requires that the Comm'n distribute 25% of the net proceeds of the lottery to counties to be used for school construction, in the proportion that the counties' sales bear to total lottery sales. The remaining proceeds shall be appropriated by the General Assembly to establish or enhance educational programs, including statewide prekindergarten programs and those designed to reduce class sizes and provide more one-on-one instruction. GS 143D-7 makes certain violations of lottery laws a Class 1 misdemeanor. Act requires that the Comm'n hire independent firms to study the demographics of lottery players and the effectiveness of advertisement and promotion of the lottery.
Intro. by Owens.
Ref. to Rules GS 120, 143D, STUDY

H 1352. EMERGENCY FUNDING FOR ONE NC & NEIT. *TO PROVIDE EMERGENCY FUNDING FOR THE ONE NORTH CAROLINA FUND AND THE NEW AND EXPANDING INDUSTRY TRAINING PROGRAM.* Appropriates for 2003-04 from General Fund $20 million to One North Carolina Industrial Recruitment Competitive Fund and $4,100,000 to Community Colleges System Office for new and expanding industry training.
Intro. by Owens.
Ref. to Rules APPROP

CALENDAR ACTION
May 10, 2004

NOTES
1. Amendments and committee substitutes adopted today are summarized in the following section of today's Daily Bulletin.
2. The dates on which previous amendments or committee substitutes were adopted are listed below bill numbers.
3. The action "Cal Pursuant Rule 36b" indicates that the bill has been reported by committee and is awaiting calendaring by the Rules Committee.
4. Enacted bills are indicated by #, failed bills by *.

PUBLIC BILLS

H0354 AMEND DISABILITY LAWS	H	REC TO CONCUR S COM SUB
	H	REF TO COM ON RULES, CALENDAR, AND OPERATIONS OF THE HOUSE
04-07-03, 07-20-03		
S0623 IT GAP ANALYSIS "HACK ATTACK."	H	WITHDRAWN FROM COMM
	H	RE-ASSIGNED TO RULES, CALENDAR, AND OPERATIONS OF THE HOUSE
04-24-03		
S1032 HONORING MAGGIE SETZER PYLANT	S	PASSED 2ND & 3RD
S1042 MARRIAGE BY SUPERIOR/DISTRICT CT. JUDGE	S	PASSED 2ND AND 3RD

LOCAL BILLS

S0243 NAME HALIFAX-NORTHAMPTON AIRPORT AUTHORITY.	H	WITHDRAWN FROM CAL
	H	RE-ASSIGNED TO RULES, CALENDAR, AND OPERATIONS OF THE HOUSE

SUMMARIES OF AMENDMENTS AND COMMITTEE SUBSTITUTES

None

NEXT SESSIONS

May 11, 2004

HOUSE convenes at 12:00 p.m.

SENATE convenes at 3:00 p.m.

G41
25:2004/2

N.C. DOCUMENTS
CLEARINGHOUSE

Daily Bulletin

STATE LIBRARY OF NORTH CAROLINA

ACTIONS BY THE NORTH CAROLINA GENERAL ASSEMBLY

Institute *of* Government—School of Government
The University of North Carolina at Chapel Hill
Legislative Reporting Service, Box 7294 State Legislative Building, Raleigh, NC 27601
Phone 919.733.2484 Fax 919.715.3464

House Legislative Day 105 Vol. 2004, No. 2 Senate Legislative Day 107

Tuesday, May 11, 2004

BILLS INTRODUCED TODAY

BILL #	SHORT TITLE	IDEN	COMMITTEE	GS INDEX OR COUNTY AFFECTED
S 1031	SMALL SCHOOL SYSTEM SUPPLEMENTAL FUNDING		APPROP	APPROP
S 1033	TRANSYLVANIA LAND ACQUISITION/CONVEYANCE		ST. GOV.	TRANSYLVANIA
S 1034	LAKE TOXAWAY MOTOR VEHICLE REGISTRATION		JUDICIARY I	TRANSYLVANIA
S 1035	SOUTHERN APPALACHIAN SCIENCE AND TECH FUNDS		APPROP	LOCAL APPROP
S 1036	GRIMESLAND BOUNDARY RESTATEMENT		FINANCE	PITT
S 1037	CITY OF GREENVILLE—ABANDONED/JUNKED VEHICLES		COMMERCE	PITT
S 1038	GREENVILLE PARKING DECK PROJECTS		COMMERCE	PITT
S 1039	BLANK APPROPRIATIONS BILL-1		RULES	APPROP
S 1040	BLANK APPROPRIATIONS BILL-2		RULES	APPROP
S 1041	FUNDS FOR CARDIOVASCULAR DISEASES INSTITUTE	H 1353	APPROP	APPROP
S 1043	AGGREGATE TRUCK WEIGHT LIMITS		COMMERCE	20
S 1044	WILKES VISITOR CENTER		APPROP	WILKES
S 1045	MARINE CORPS MUSEUM FUNDS		ST. GOV.	APPROP
S 1046	FIRE AND RESCUE PENSION INCREASE		PENSIONS	58
S 1047	CHADBOURN MAYOR'S TERM	H 1350	ST. GOV.	COLUMBUS
S 1048	AMEND SEX OFFENDER REGISTRATION		JUDICIARY I	14, 20, APPROP
S 1049	AUTHORIZING CONSIDERATION OF SEX OFFENDER BILL		PENSIONS	JOINT RES
H 1353	CARDIOVASCULAR DISEASES INSTITUTE		RULES	APPROP
H 1354	STRENGTHEN DOMESTIC VIOLENCE LAWS		RULES	7A, 15A, 143B, 17C, 17E, 84 7B, 50B, STUDY, 14, 8, 50 95
H 1355	IMPROVE ECONOMIC DEVELOPMENT PROGRAMS		RULES	105, 143B, 159C, APPROP
H 1356	INCREASE FEES/QUALIFS. FOR DWI ASSESSMENTS		RULES	122C, STUDY
H 1357	FIRE AND RESCUE PENSION INCREASE		RULES	58
H 1358	RETIRED HIGHWAY PATROL SPOUSES SPECIAL PLATE		RULES	20
H 1359	DOT MINORITY/WOMEN BUSINESSES PROGRAM		RULES	136
H 1360	HOV LANES—EMERGENCY VEHICLES		RULES	20
H 1361	SMALL SCHOOL SYSTEM SUPPLEMENTAL FUNDING	S 1031	RULES	APPROP
H 1362	SOUTHERN APPALACHIAN SCIENCE & TECH FUNDS	S 1035	RULES	LOCAL APPROP
H 1363	LAKE TOXAWAY MOTOR VEHICLE REGULATION	S 1034	RULES	TRANSYLVANIA

This publication is printed on permanent, acid-free paper in compliance with the North Carolina General Statutes
Institute of Government—School of Government
The University of North Carolina at Chapel Hill

© 2004

H 1364	TRANSYLVANIA LAND ACQUISITION/CONVEYANCE	S 1033	RULES	TRANSYLVANIA
H 1365	HONORING MAGGIE SETZER PYLANT	S 1032	RULES	JOINT RES
H 1366	INVOLUNTARY COMMITMENT WARRANT CLARIFICATION		RULES	122C
H 1367	HIGH-RISK HEALTH INSURANCE STUDY		RULES	STUDY
H 1368	FUNDS FOR COST-EFFICIENT HEALTH CARE		RULES	APPROP
H 1369	EMERALD ISLE ANNEXATION		RULES	CARTERET
H 1370	WORKERS' COMP./TRUCKING		RULES	97
H 1371	DOT RETIRED ENGINEERS		RULES	135
H 1372	PUBLIC TRANSIT DECELERATION LAMPS		RULES	20
H 1373	INCREASE PENALTY—TRANSIT OPERATOR ASSAULT		RULES	14
H 1374	HYDE MEALS AND LAND TRANSFER TAXES		RULES	HYDE
H 1375	SMALL BUSINESS HEALTH INSURANCE CREDIT		RULES	105
H 1376	FUNDS FOR AUTISM SOCIETY		RULES	APPROP
H 1377	FUNDS FOR AUTISM SUPPORTED EMPLOYMENT		RULES	APPROP
H 1378	EDGECOMBE/WILSON DEEDS		RULES	EDGECOMBE, WILSON
H 1379	VEHICLE CONTROL SIGNS AND SIGNALS		RULES	20, 160A
H 1380	OTP EXCISE TAX REFUND		RULES	105
H 1381	VA–NC INTERSTATE HIGH-SPEED RAIL COMPACT		RULES	136
H 1382	DOT AUTHORITY TO RECEIVE FUNDS FROM LOCAL GOV.		RULES	136
H 1383	STAGGERED ISSUANCE—COMMERCIAL/DEALER PLATES		RULES	20

SUMMARIES OF BILLS INTRODUCED TODAY

SENATE BILLS

S 1031. SMALL SCHOOL SYSTEM SUPPLEMENTAL FUNDING. *TO MODIFY THE FORMULA FOR ALLOCATING SMALL SCHOOL SYSTEM SUPPLEMENTAL FUNDING.* Amends SL 2003-284, Sec. 7.7(a), to require the State Board of Education to allocate small school system supplemental funding to all county school administrative units with 4,000 or fewer students (was, districts with 3,175 to 4,000 students were eligible only if located in a county with an adjusted property tax per student below the state adjusted property tax base per student). Amends Sec. 7.7.(e) to require Board to report to the Jt. Legis. Oversight Comm. prior to May 1, 2005, if it determines that counties have supplanted funds (was, May 1, 2004). Makes technical changes. Effective July 1, 2004.

Intro. by Carpenter.

Ref. to Appropriations APPROP

S 1033. TRANSYLVANIA LAND ACQUISITION/CONVEYANCE. *TO PROVIDE THAT TRANSYLVANIA COUNTY MAY PURCHASE AND CONVEY PROPERTY TO THE STATE FOR USE AS CORRECTIONAL FACILITIES.* As title indicates.

Intro. by Carpenter.

Ref. to St. Government TRANSYLVANIA

S 1034. LAKE TOXAWAY MOTOR VEHICLE REGULATION. *TO PROVIDE THAT THE LAWS RELATING TO MOTOR VEHICLES APPLY ON THE STREETS OWNED BY THE LAKE TOXAWAY PROPERTY OWNERS' ASSOCIATION IN TRANSYLVANIA COUNTY.* As title indicates.

Intro. by Carpenter.

Ref. to Judiciary I TRANSYLVANIA

S 1035. SOUTHERN APPALACHIAN SCIENCE & TECH FUNDS. *TO APPROPRIATE FUNDS TO THE SOUTHERN APPALACHIAN SCIENCE & TECHNOLOGY CENTER (SASTC) LOCATED IN POLK COUNTY.* Appropriates $250,000 for 2004-2005 from General Fund to Southern Appalachian Science & Technology Center, Inc. as title indicates. Effective July 1, 2004.

Intro. by Apodaca.

Ref. to Appropriations LOCAL APPROP

S 1036. GRIMESLAND BOUNDARY RESTATEMENT. *TO RATIFY THE BOUNDARIES OF THE TOWN OF GRIMESLAND BASED ON A NEW SURVEY ALONG THE EXISTING COMMONLY RECOGNIZED BOUNDARY.* As title indicates.
Intro. by Moore.
Ref. to Finance PITT

S 1037. CITY OF GREENVILLE--ABANDONED/JUNKED VEHICLES. *AFFECTING THE REGULATION OF ABANDONED OR JUNKED MOTOR VEHICLES IN THE CITY OF GREENVILLE.* Modifies definition of "junked motor vehicle" as vehicle that appears to be worth less than $500 (now, $100).
Intro. by Moore.
Ref. to Commerce PITT

S 1038. GREENVILLE PARKING DECK PROJECTS. *TO EXEMPT FROM THE PUBLIC BIDDING LAWS THE CITY OF GREENVILLE IN THE CONSTRUCTION OF PARKING STRUCTURE PROJECTS IN ITS CENTRAL BUSINESS DISTRICT.* As title indicates.
Intro. by Moore.
Ref. to Commerce PITT

S 1039. BLANK APPROPRIATIONS BILL-1. *TO APPROPRIATE FUNDS FOR THE 2004–2005 FISCAL YEAR.* Blank bill.
Intro. by Hagan.
Ref. to Rules APPROP

S 1040. BLANK APPROPRIATIONS BILL-2. *TO APPROPRIATE FUNDS FOR THE 2004–2005 FISCAL YEAR.* Blank bill.
Intro. by Hagan.
Ref. to Rules APPROP

S 1041. FUNDS FOR CARDIOVASCULAR DISEASES INSTITUTE (=H 1353). *TO APPROPRIATE FUNDS TO CONSTRUCT THE NORTH CAROLINA CARDIOVASCULAR DISEASES INSTITUTE AT EAST CAROLINA UNIVERSITY.* Identical to H 1353, introduced 5/11/04.
Intro. by Kerr, Jenkins.
Ref. to Appropriations APPROP

S 1043. AGGREGATE TRUCK WEIGHT LIMITS. *TO ADJUST THE WEIGHT LIMITS FOR TRUCKS TRANSPORTING AGGREGATES.* Adds new GS 20-118(c)(16) to provide that subsections (b) (weight limitations) and (e) (penalties) do not apply to dump truck or dump trailer transporting bulk aggregates, if vehicle does not exceed maximum gross weight allowed in subsection (b). Adds new GS 20-118(e)(6) to provide that penalty for violating gross weight or axle-group weight by dump truck or dump trailer vehicle transporting bulk aggregate materials intrastate from site that does not have certified scale for weighing vehicle is one-half of amount it otherwise would be under subdivision (1) of section. Adds new GS 20-118(l) to provide that axle weight limits do not apply to dump truck or dump trailer transporting bulk aggregates on posted bridge, if vehicle does not exceed posted weight for bridge.
Intro. by Garwood Jenkins.
Ref. to Commerce GS 20

S 1044. WILKES VISITOR CENTER. *TO PERMIT THE COUNTY OF WILKES TO ACQUIRE PROPERTY AND CONVEY IT TO THE STATE FOR USE AS A VISITORS' CENTER/REST AREA.* As title indicates.
Intro. by Garwood.
Ref. to Appropriations WILKES

S 1045. MARINE CORPS MUSEUM FUNDS. *TO APPROPRIATE FUNDS TO THE MARINE CORPS MUSEUM OF THE CAROLINAS.* Appropriates $4 million for 2004-2005 from the General Fund to the Marine Corps Museum of the Carolinas as title indicates. Effective July 1, 2004.
Intro. by Hargett.
Ref. to St. Government APPROP

S 1046. FIRE AND RESCUE PENSION INCREASE. *TO INCREASE THE MONTHLY PENSION FOR MEMBERS OF THE FIREMEN'S AND RESCUE SQUAD WORKERS' PENSION FUND.* As title indicates. Amends GS 58-86-55 to increase pension from $158 to $163 a month. Effective July 1, 2004.
Intro. by Hoyle.
Ref. to Pensions GS 58

S 1047. CHADBOURN MAYOR'S TERM (=H 1350). *TO PROVIDE A FOUR-YEAR TERM FOR THE MAYOR OF THE TOWN OF CHADBOURN.* Identical to H 1350, introduced 5/10/04.
Intro. by Soles.
Ref. to St. Government COLUMBUS

S 1048. AMEND SEX OFFENDER REGISTRATION. *TO PROTECT NORTH CAROLINIANS BY AMENDING THE SEX OFFENDER REGISTRATION LAW TO PROVIDE ADDITIONAL NOTIFICATION MEASURES DESIGNED TO NOTIFY NEW RESIDENTS OF THE STATE WHO ARE SEX OFFENDERS OF THE DUTY TO REGISTER IN THIS STATE AND TO APPROPRIATE FUNDS TO IMPLEMENT THIS ACT.* Effective Sept. 1, 2004, adopts new GS 14-208.8(c) requiring that Div'n of Motor Vehicles (DMV) notify each applicant for a drivers license, learner's permit, instruction permit or identification card of sex offender registry requirements. Further adds new GS 14-208.8(d), requiring that Dep't of Justice (DOJ) conduct public information activities designed to inform sex offenders of their obligation to register. Appropriates $50,000 for 2004-05 from General Fund to DMV, and $25,000 for 2004-05 from General Fund to DOJ, effective July 1, 2004. Makes technical changes.
Intro. by Garrou.
Ref. to Judiciary I GS 14, 20, APPROP

S 1049. AUTHORIZING CONSIDERATION OF SEX OFFENDER BILL. *AUTHORIZING THE 2003 GENERAL ASSEMBLY, REGULAR SESSION 2004, TO CONSIDER A BILL TO BE ENTITLED AN ACT TO PROTECT NORTH CAROLINIANS BY AMENDING THE SEX OFFENDER REGISTRATION LAW TO PROVIDE ADDITIONAL NOTIFICATION MEASURES DESIGNED TO NOTIFY NEW RESIDENTS OF THE STATE WHO ARE SEX OFFENDERS OF THE DUTY TO REGISTER IN THIS STATE AND TO APPROPRIATE FUNDS TO IMPLEMENT THIS ACT.* As title indicates.
Intro. by Garrou.
Ref. to Rules JOINT RES

HOUSE BILLS

H 1353. CARDIOVASCULAR DISEASES INSTITUTE. *TO APPROPRIATE FUNDS TO THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA TO CONSTRUCT THE NORTH CAROLINA CARDIOVASCULAR DISEASES INSTITUTE AT EAST CAROLINA UNIVERSITY.* Appropriates $60,000,000 for 2004-2005 from General Fund to UNC Board of Governors as title indicates. Effective July 1, 2004.
Intro. by McLawhorn, Warren, C. Johnson, Tolson.
Ref. to Rules APPROP

H 1354. STRENGTHEN DOMESTIC VIOLENCE LAWS. *TO STRENGTHEN THE LAWS AGAINST DOMESTIC VIOLENCE, TO PROVIDE ADDITIONAL ASSISTANCE TO DOMESTIC VIOLENCE VICTIMS, AND TO MAKE OTHER CHANGES AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON DOMESTIC VIOLENCE.* Effective for offenses committed on or after Dec. 1, 2004, adds new GS 15A-1353(b)(12) to make as regular probation condition that defendant attend and complete abuser treatment program if court finds defendant is responsible for acts of domestic violence and there is program, approved by Domestic Violence Comm'n, reasonably available to defendant, unless court finds program would not be in best interests of justice. Effective for offenses committed on or after Dec. 1, 2004, amends GS 143B-262 to require Dep't of Correction, in consultation with Domestic Violence Comm'n, to establish domestic violence treatment program for offenders sentenced to term of imprisonment in custody of Dep't and whose record includes court finding that offender committed acts of domestic violence; requires offender to complete program before completing incarceration, with specified exception. Amends various provisions in GS Ch. 17C and 17E to require specified entry-level and in-service domestic violence training for law enforcement officers; amount of training hours and effective dates for training specified in bill. Requires Dep't of Public Instruction, in collaboration with State Board of Education, to study issue of anti-violence programs in schools and training for school personnel dealing with students who are victims of domestic and relationship violence; specifies reporting dates to legislative committees.

Adds new Art. 37B to GS Ch. 7B to create Domestic Violence Victim Assistance Act. Funds appropriated under art. shall be used to (1) provide legal assistance to domestic violence victims; (2) provide education to domestic violence victims concerning their legal rights and duties; and (3) involve private bar in representation of domestic violence victims. Emphasis to be placed on representing clients needing legal assistance with GS Ch. 50B proceedings. Funds to be provided to NC State Bar for provision of direct services by and support of established legal services programs as specified in bill; State Bar to report as specified in bill to General Assembly on use and disbursement of funds. Amends GS 84-4.1 (limited practice of out-of-state attorneys) to add $100 fee with motion to practice in NC, with funds being remitted to NC State Bar for above-described act; effective for motions filed on or after July 1, 2004.

Effective for orders issued on or after July 1, 2004, amends GS 50B-3 to provide that if, on completion of 10-day hearing, court issues protective order, court must require defendant to pay $100 fee. However, fee not to be assessed on renewal of same order. Effective July 1, 2004, appropriates $2 million for 2004-2005 from General Fund to Dep't of Administration, to be credited to Domestic Violence Center Fund established under GS 50B-9. Amends GS 7B-1402 to add following members to Child Fatality Task Force: (1) representative from NC Domestic Violence Comm'n, appointed by House Speaker upon recommendation by Comm'n Director; and (2) representative from NC Coalition Against Domestic Violence, appointed by Senate Pres. Pro. Tem upon recommendation of coalition's Executive Director. Deletes two public members from Comm'n. Requires Dep't of Health and Human Services to study and develop plan for serving clients of domestic violence programs with mental health and substance abuse service needs; specifies reporting to legislative committee. Requires NC State Bar, in cooperation with NC Bar Ass'n, to study issue of providing CLE credit to attorneys for providing pro bono legal representation, and specifically for such representation to domestic violence victims; specifies reporting to legislative committee.

Effective for offenses committed on or after Dec. 1, 2004, (1) amends statutory aggravating factor in GS 15B-1340.16(d)(15) (taking advantage of position of trust) to specifically include domestic relationship; (2) amends GS 14-32.4 to provide that person who assaults another person and inflicts physical injury by strangulation is guilty of Class H felony; (3) amends GS 14-33.2 (habitual misdemeanor assault) to require proof of two or more prior convictions for either misdemeanor or felony assault (now, requires proof of five or more prior misdemeanor convictions, two or which were misdemeanor assaults); provides that conviction of GS 14-33.2 may not be used as prior conviction for any other habitual offense statute; and (4) amends GS 15A-1343.2(e) (delegation to probation officer in community punishment) to add within delegation probationer's submission to curfew requiring probationer to remain in specified place for specified period each day and wear electronic monitoring device.

Effective for offenses committed on or after Dec. 1, 2004, adds new GS 15A-1382.1 to provide that when defendant is convicted of offense involving assault or communicating threat and judge determines that victim had personal relationship [as defined in GS 50B-1(b)] between defendant and victim, then judge must indicate on judgment that case involved domestic violence; clerk must insure that official record of defendant's conviction includes this determination. If community punishment is imposed, court must determine whether defendant must comply with special conditions of probation under GS 15A-1343(b1); judge is also authorized to require electronic monitoring under GS 15A-1343(b1)(3c), despite the provisions of GS 15A-1340.11(6)c.

Directs Sentencing and Policy Advisory Comm'n to study classification of misdemeanor offenses, particularly classification of assault offenses in relation to property offenses, crimes against society, and felony assault offenses; comm'n to develop system for classifying misdemeanor offenses based on their severity. Specifies reporting to General Assembly.

Effective for offenses committed on or after Dec. 1, 2004, amends GS 15A-401(b)(2) to authorize law enforcement officer to make arrest without arrest warrant when defendant has violated pretrial release order entered under GS 15A-534.1(2) (apparently intends (a)(2), which concerns judge's imposition of conditions when defendant was released after being charged with domestic violence crime). Effective for offenses committed on or after Dec. 1, 2004, amends GS 14-415.1 to prohibit convicted felon from possessing any firearm (now, only handgun or firearm with barrel length less than 18 inches or overall length less than 26 inches). Deletes provision that allows convicted felon to possess firearm in own home or place of business. Amends GS 15A-304 to provide that judicial official may not refuse to issue arrest warrant solely because prior arrest warrant had been issued for another person involving same matter.

Effective for actions filed on or after Oct. 1, 2004, amends GS 50B-2(c) (ex parte order by judge) and (d) (ex parte order by authorized magistrate) to permit, if court or magistrate finds that child is exposed to substantial risk of physical or emotional injury or sexual abuse, on request of aggrieved party, court or magistrate may order other party to stay away from minor child, or return minor child to, or not remove minor child from, physical care of parent or person in loco parentis, if court or magistrate finds order is necessary for child's safety. Court or magistrate may specify terms of contact, if permitted, between minor child and other party, as set out in bill.

Effective for actions filed on or after Oct. 1, 2004, (1) adds new GS 50B-3(a1) to provide that, on request of either party at hearing after notice or service of process, court shall consider and may award temporary custody of minor children and establish temporary visitation rights as set out in bill; (2) amends GS 50B-3(b) to provide that temporary award of custody may not be renewed to extend such custody beyond maximum one-year period; (3) adds new GS 50B-5.5 and amends GS 95-241(a) to prohibit employment discrimination against domestic violence victims.

Requests NC Supreme Court to adopt rules establishing minimum standards of education and training for district court judges in handling civil and criminal domestic violence cases. Requires Administrative Office of Courts to study issue of training for court personnel in domestic violence issues and report findings and recommendations to 2005 legislative session.

Intro. by McLawhorn, Sherrill.

Ref. to Rules GS 7A,7B,8,14,15A,17C,17E,50,50B,84,95,143B, STUDY

H 1355. IMPROVE ECONOMIC DEVELOPMENT PROGRAMS. *TO SHIFT THE STATE'S ECONOMIC DEVELOPMENT RESOURCES TO MORE EFFICIENT AND EFFECTIVE INCENTIVES.* Amends GS 105-129.2A(a), repealing Art. 3A (Tax Incentives for New and Expanding Businesses) effective Jan. 1, 2005 (was, Jan. 1, 2006), except that GS 105-129.9A (Technology Commercialization Credit) retains its repeal date of Jan. 1, 2006. Adds new GS 105-129.2A(e) requiring that the Dep't of Revenue monitor outstanding potential liability remaining under art. and report it to Senate and House Committees on Finance and Appropriations on June 1 of each year as long as potential liability remains. Sec. 4.(a) of act recodifies GS 105-129.3, effective Jan. 1, 2005, and recodifies GS 105-129.10(a) and –129.10(b) and repeals GS 105-129.10(c), effective Jan. 1, 2005. Deletes GS 143B-437.52(b) (cap on job development investment grant agreements), and amends GS 143B-437.52(c) to increase the ceiling on grant liability through 2007, and amends GS 143B-437.62 to provide that authority of Economic Investment Comm. to enter into new agreements expires on Jan. 1, 2008 (was, Jan. 1, 2005). Amends GS 143B-437.5(b) to require that enterprise factor of each county include unemployment rate for most recent 12-month period (was, preceding three years). Adds new GS 143B-437.6, establishing standards to be applied in the state's economic development efforts. Enacts GS 105-129.51 providing that credit for increasing research and development is repealed effective for research and development activities that occur after Jan. 1, 2008. Enacts GS 105-129.52, requiring that the taxpayer elect the tax upon which credit will be applied and providing that the credit may not exceed 50% of tax against which it is claimed. Amends GS 143B-437.21(l) to require that the NC Rural Redevelopment Authority contract with the NC Rural Economic Development Center for administrative and staff support for the Authority. Appropriates from the General Fund to the NC Rural Redevelopment Authority the following amounts: 2005-06: $780,000; 2006-07: $2.15 million; 2007-2008: $3.5 million; 2008-09: $5.4 million; 2009-10: $6.2 million; 2010-11: $7.3 million. Appropriates $250,000 from the General Fund to the Authority for the 2004-05 fiscal year for the expenses of the Authority's board of directors. Makes technical changes.

Intro. by C. Wilson.

Ref. to Rules GS 105, 143B, 159C, APPROP

H 1356. INCREASE FEES/QUALIFS. FOR DWI ASSESSMENTS. *TO ENACT THE RECOMMENDATIONS OF THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES TO INCREASE THE QUALIFICATIONS OF PERSONS WHO WILL BE ELIGIBLE TO ADMINISTER SUBSTANCE ABUSE ASSESSMENTS, TO STUDY THE MINIMUM QUALIFICATIONS OF INDIVIDUALS CONDUCTING ALCOHOL AND DRUG EDUCATION TRAFFIC SCHOOLS, AND TO STUDY THE FEE PAID BY DWI OFFENDERS FOR EDUCATION OR TREATMENT SERVICES.* Adds new GS 122C-142.1(b1), effective Oct. 1, 2005, and applicable to assessments conducted on or after that date, to authorized the following people to conduct DWI substance abuse assessments: (1) certified substance abuse counselor; (2) certified clinical addiction specialist; (3) substance abuse counselor intern who is supervised by certified clinical supervisor; (4) person licensed by NC Medical Board or NC Psychology Board; and (5) physician certified by American Society of Addiction Medicine Effective for assessment conducted on or after Oct. 1, 2008, deletes authority to conduct assessment by person in (3) above. Amends GS 122C-142.1(f), applicable to assessments administered on or after Oct. 1, 2004, to increase assessment fee to obtain certificate of completion from $50 to $100. Amends SL 2003-396 to include studies specified in title.

Intro. by Alexander, Sauls, Insko.

Ref. to Rules GS 122C, STUDY

H 1357. FIRE AND RESCUE PENSION INCREASE. *TO INCREASE THE MONTHLY PENSION FOR MEMBERS OF THE FIREMEN'S AND RESCUE SQUAD WORKERS' PENSION FUND.* Increases monthly pension from $158 to $160. Effective July 1, 2004.
Intro. by A. Williams.
Ref. to Rules GS 58

H 1358. RETIRED HIGHWAY PATROL SPOUSES SPECIAL PLATE. *TO AUTHORIZE THE SURVIVING SPOUSES OF RETIRED HIGHWAY PATROL OFFICERS TO PURCHASE RETIRED HIGHWAY PATROL SPECIAL REGISTRATION PLATES.* Amends GS 20-79.4(b)(36a) as title indicates.
Intro. by A. Williams.
Ref. to Rules GS 20

H 1359. DOT MINORITY/WOMEN BUSINESSES PROGRAM. *TO REAFFIRM AND CLARIFY STATE POLICY CONCERNING PARTICIPATION BY DISADVANTAGED MINORITY AND WOMEN BUSINESSES IN HIGHWAY CONSTRUCTION.* Rewrites GS 136-28.4(b) so it requires, at least every five years, Dep't of Transportation to conduct study on availability and utilization of minority-owned and women-owned business enterprises and evidence of race-based and gender-based discrimination against such business enterprises in contracts for design, construction, alteration, or maintenance of state highways, roads, streets, or bridges and for the procurement of materials for these projects. Provides that if study shows continued effects of discrimination, Dep't must, in conformity with state and federal law, adopt by rule and contract provisions a specific program of good-faith goals for participation in contracting opportunities by minority businesses and women businesses. Does not authorize use of set-asides, quotas, sheltered markets, or bid preferences. Dep't to report annually to Joint Transportation Oversight Committee as specified in bill. Act expires Aug. 31, 2009.
Intro. by K. Williams.
Ref. to Rules GS 136

H 1360. HOV LANES-EMERGENCY VEHICLES. *TO EXEMPT MOVEMENT AROUND EMERGENCY VEHICLES FROM HOV LANE RESTRICTIONS.* Amends GS 20-146.2(a) as title indicates. Applicable to offenses committed on or after Sept. 1, 2004.
Intro. by K. Williams.
Ref. to Rules GS 20

H 1361. SMALL SCHOOL SYSTEM SUPPLEMENTAL FUNDING (=S 1031). *TO MODIFY THE FORMULA FOR ALLOCATING SMALL SCHOOL SYSTEM SUPPLEMENTAL FUNDING.* Identical to S 1031, introduced 5/11/04.
Intro. by Walend.
Ref. to Rules APPROP

H 1362. SOUTHERN APPALACHIAN SCIENCE & TECH FUNDS (=S 1035). *TO APPROPRIATE FUNDS TO THE SOUTHERN APPALACHIAN SCIENCE & TECHNOLOGY CENTER (SASTC) LOCATED IN POLK COUNTY.* Identical to S 1035, introduced 5/11/04.
Intro. by Walend.
Ref. to Rules LOCAL APPROP

H 1363. LAKE TOXAWAY MOTOR VEHICLE REGULATION (=S 1034). *TO PROVIDE THAT THE LAWS RELATING TO MOTOR VEHICLES APPLY ON THE STREETS OWNED BY THE LAKE TOXAWAY PROPERTY OWNERS' ASSOCIATION IN TRANSYLVANIA COUNTY.* Identical to S 1034, introduced 5/11/04.
Intro. by Walend.
Ref. to Rules TRANSYLVANIA

H 1364. TRANSYLVANIA LAND ACQUISITION/CONVEYANCE (=S 1033). *TO PROVIDE THAT TRANSYLVANIA COUNTY MAY PURCHASE AND CONVEY PROPERTY TO THE STATE FOR USE AS CORRECTIONAL FACILITIES.* Identical to S 1033, introduced 5/11/04.
Intro. by Walend.
Ref. to Rules TRANSYLVANIA

H 1365. HONORING MAGGIE SETZER PYLANT (=S 1032). *HONORING THE MEMORY OF MAGGIE SETZER PYLANT FOR WHOM THE TOWN OF MAGGIE VALLEY IS NAMED UPON THE TOWN'S CENTENNIAL OBSERVANCE.* Identical to S 1032, introduced 5/11/04.
Intro. by Haire.
Ref. to Rules JOINT RES

H 1366. INVOLUNTARY COMMITMENT WARRANT CLARIFICATION. *TO PROVIDE THAT AN ORDER ISSUED BY THE CLERK OF COURT, THE MAGISTRATE, OR THE COURT FOR CUSTODY RELATING TO INVOLUNTARY COMMITMENT IS VALID THROUGHOUT THE STATE.* Amends various statutes in GS Ch. 122C as title indicates.
Intro. by Insko.
Ref. to Rules GS 122C

H 1367. HIGH-RISK HEALTH INSURANCE STUDY. *TO ESTABLISH THE STUDY COMMITTEE ON HIGH-RISK HEALTH INSURANCE POOLS, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON THE RISING COST OF HEALTH CARE.* As title indicates. Committee to consist of 15 members: (1) six appointed by General Assembly on recommendations of House Speakers; (2) six appointed by General Assembly on recommendation of Senate Pres. Pro Tem; (3) two appointed by Governor; and (4) Com'r of Insurance, or his designee. Committee to report to 2005 legislative session and submit final report to 2006 legislative session.
Intro. by Insko.
Ref. to Rules STUDY

H 1368. FUNDS FOR COST-EFFICIENT HEALTH CARE. *TO APPROPRIATE FUNDS FOR GRANTS-IN-AID TO COMMUNITY HEALTH CENTERS, PUBLIC HEALTH DEPARTMENTS, FREE CLINICS, AND OTHER HEALTH CARE FACILITIES TO INCREASE ACCESS TO HEALTH CARE TO INDIGENT CLIENTS AND TO PROVIDE AN EFFECTIVE ALTERNATIVE TO MORE COSTLY HEALTH CARE, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON THE RISING COST OF HEALTH CARE.* Appropriates $8 million for 2004-2005 from General Fund to Dep't of Health & Human Services, Office of Research, Demonstrations, and Rural Health Development, as title indicates. Effective July 1, 2004.
Intro. by Wright Nye.
Ref. to Rules APPROP

H 1369. EMERALD ISLE ANNEXATION. *TO PROVIDE THAT THE WESTERN BOUNDARY OF THE TOWN OF EMERALD ISLE EXTENDS TO THE BOGUE INLET CHANNEL AS IT FLUCTUATES OVER TIME TO ALLOW ALL UPLAND AREAS CONNECTED TO BOGUE BANKS ON THE WESTERN END OF THE ISLAND TO BE IN THE TOWN LIMITS.* As title indicates.
Intro. by Preston.
Ref. to Rules CARTERET

H 1370. WORKERS' COMP./TRUCKING. *TO AMEND THE APPLICATION OF THE WORKERS' COMPENSATION LAW TO CERTAIN MOTOR CARRIERS.* Rewrites GS 97-19.1 so it provides that individual in interstate or intrastate carrier industry who operates truck, tractor, or truck tractor trailer licensed by governmental motor vehicle regulatory agency may be employee or independent contractor under Art. dependent on application of common law test for determining employment status and any individual found to be employee shall be subject to workers' compensation coverage under GS 97-93 unless otherwise exempt. Provides that any interstate or intrastate motor carrier shall be considered the contractor in relation to any individual driver found to be an independent contractor who shall be considered as the subcontractor, and their relationship shall be subject to GS 97-19. Provides that a contractor and subcontractor may agree in writing that contractor shall cover the subcontractor, or subcontractor and subcontractor's employees, under blanket insurance policy of contractor to allow contractor to charge back cost of coverage to subcontractor.
Intro. by Saunders.
Ref. to Rules GS 97

H 1371. DOT RETIRED ENGINEERS. *TO REMOVE THE CAP ON EARNINGS BY RETIRED DEPARTMENT OF TRANSPORTATION ENGINEERS AND ENGINEERING TECHNICIANS.* Adds new sub-subdivision c1 to GS 135-3(8) to provide that computation of postretirement earnings of beneficiary who has been retired at least six months and has not been employed in any capacity with Dep't of Transportation for at least six months

immediately preceding the effective date of reemployment shall not include earnings while beneficiary is employed with Dep't as engineer or engineering technician. Effective July 1, 2004.
Intro. by Saunders.
Ref. to Rules GS 135

H 1372. PUBLIC TRANSIT DECELERATION LAMPS. *TO AUTHORIZE REAR HIGH MOUNTED FLASHING DECELERATION LAMPS ON PUBLIC TRANSIT VEHICLES.* Enacts new GS 20-139(e) as title indicates. Effective July 1, 2004.
Intro. by Saunders.
Ref. to Rules GS 20

H 1373. INCREASE PENALTY-TRANSIT OPERATOR ASSAULT. *TO INCREASE THE CLASSIFICATION OF ASSAULTING A PUBLIC TRANSPORTATION OPERATOR FROM A CLASS 2 MISDEMEANOR TO A CLASS A1 MISDEMEANOR.* Enacts new GS 14-33(c)(7) as title indicates. Effective Dec. 1, 2004.
Intro. by Saunders.
Ref. to Rules GS 14

H 1374. HYDE MEALS AND LAND TRANSFER TAXES. *TO AUTHORIZE HYDE COUNTY TO INCREASE REVENUES TO ACQUIRE REAL PROPERTY FOR PUBLIC PURPOSES.* Authorizes county commissioners to levy a prepared food tax of up to 1% of the sales price and a land transfer tax on instruments conveying an interest in real property of up to $1 for each $100 of consideration. Proceeds from both taxes collected on Ocracoke Island shall be remitted to a county authority whose first priority shall be acquisition of the Berkley Manor Country Inn. If the Inn cannot be acquired or the proceeds are not needed for acquisition, the authority may use the proceeds to purchase, improve, and operate property for community and recreational use on Ocracoke. Proceeds of the tax collected on the mainland shall be used by the county to purchase, improve, and operate property for community and recreational use.
Intro. by A. Williams.
Ref. to Rules HYDE

H 1375. SMALL BUSINESS HEALTH INSURANCE CREDIT. *TO PROVIDE A TAX CREDIT FOR SMALL BUSINESSES THAT PROVIDE EMPLOYEE HEALTH INSURANCE.* Provides that small business (taxpayer employing no more than 15 employees throughout taxable year) providing health benefits (as specified in bill) for all of its eligible employees during taxable year is allowed credit to offset costs in providing health benefits. Credit is equal to dollar amount per eligible employee, not to exceed taxpayer's costs of providing health benefits. Credit for employee only coverage is $700; for employee and family, $1,300. Effective for taxable years beginning on or after Jan. 1, 2005.
Intro. by Goforth.
Ref. to Rules GS 105

H 1376. FUNDS FOR AUTISM SOCIETY. *TO APPROPRIATE FUNDS FOR THE AUTISM SOCIETY TO COVER INCREASES IN PERSONNEL CONTRACT COSTS FOR AUTISM SERVICES AND INFLATION.* Appropriates $300,000 for 2004-2005 from General Fund to Dep't of Health & Human Services as title indicates. Specifies how Autism Society of NC is to use the allocated funds. Effective July 1, 2004.
Intro. by Nye.
Ref. to Rules APPROP

H 1377. FUNDS FOR AUTISM SUPPORTED EMPLOYMENT. *TO APPROPRIATE FUNDS FOR THE TEACCH SUPPORTED PROGRAM AT THE SCHOOL OF MEDICINE OF THE UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL.* Appropriates $187,000 for 2004-2005 from General Fund to UNC Board of Governors for supported employment for the program described in title. Effective July 1, 2004.
Intro. by Nye.
Ref. to Rules APPROP

H 1378. EDGECOMBE/WILSON DEEDS. *TO PERMIT THE EDGECOMBE AND WILSON COUNTY BOARDS OF COMMISSIONERS TO REQUIRE THE REGISTER OF DEEDS IN THE COUNTY NOT TO ACCEPT ANY DEED TRANSFERRING REAL PROPERTY FOR REGISTRATION UNLESS THE COUNTY TAX COLLECTOR CERTIFIES THAT NO DELINQUENT TAXES ARE DUE ON THAT PROPERTY.* Amends GS 161-31 to add

Edgecombe and Wilson counties to the coverage of that statute, which provides as title indicates (one exception to the certification provision is specified in the statute).
Intro. by Tolson, Farmer-Butterfield.
Ref. to Rules EDGECOMBE, WILSON

H 1379. VEHICLE CONTROL SIGNS AND SIGNALS. *TO AMEND THE VEHICLE CONTROL SIGN AND SIGNAL LAW.* Amends GS 20-158(a)(3) to change all references to "stoplights" to "traffic signals" and to require that the red light shall appear to the left of yellow and green lights in horizontal-arranged signal faces. Further amends GS 160A-300.2(e) and –300.3(e) to require that the duration of yellow light change intervals at intersections where traffic control photographic systems are used shall be no less than that duration specified on the traffic signal plan of record signed and sealed by a licensed NC Professional Engineer in accordance with Ch. 89C (was, duration specified in the Design Manual developed by the Signals and Geometrics Sec. of the NC Dep't of Transportation). Makes technical changes. Effective July 1, 2004.
Intro. by Cole.
Ref. to Rules GS 20, 160A

H 1380. OTP EXCISE TAX REFUND. *TO ALLOW A REFUND OF THE TAX PAID ON STALE OR OTHERWISE UNSALABLE TOBACCO PRODUCTS.* Adds new GS 105-113.39A to specify that a distributor in possession of stale or otherwise unsalable tobacco products other than cigarettes on which the state tax has been paid under GS Ch. 105, Art. 2A, Part 3, may return them to the manufacturer and apply to the Sec'y of Revenue for refund of the tax. Refund request is to be in the form Sec'y specifies, and must be accompanied by manufacturer's affidavit of certain information about the returned products. Sec'y must refund the tax paid. Effective July 1, 2004.
Intro. by Cole.
Ref. to Rules GS 105

H 1381. VA-NC INTERSTATE HIGH-SPEED RAIL COMPACT. *TO ESTABLISH THE VIRGINIA-NORTH CAROLINA INTERSTATE HIGH-SPEED RAIL COMPACT.* As title indicates, adopts new Art. 18 of GS Ch. 136, agreeing to develop a plan for the construction and operation of a rail service through Virginia and NC and adjacent states. Establishes the Virginia-North Carolina High-Speed Rail Compact Comm'n, three members appointed from the Virginia House of Delegates and two from the Virginia Senate; and two members appointed from the NC Senate, two members from the NC House, and one member appointed by the NC Governor.
Intro. by Cole.
Ref. to Rules GS 136

H 1382. DOT AUTHORITY TO RECEIVE FUNDS FROM LOCAL GOV. *TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO RECEIVE FUNDS FROM LOCAL GOVERNMENTS TO ADVANCE THE CONSTRUCTION SCHEDULE OF TIP PROJECTS.* As title indicates; also applies to funding from nonprofit corporations. Adds new GS 136-18(38) to authorize NC DOT to enter into agreements with municipalities, counties, governmental entities, or nonprofit corporations to receive funds for cited purpose for projects identified in the Transportation Improvement Program. If DOT must repay the funds, then prior to receipt of the funds reimbursement of all funds received by DOT must be shown in the existing TIP and must be reimbursed within 7 years of receipt.
Intro. by Cole.
Ref. to Rules GS 136

H 1383. STAGGERED ISSUANCE-COMMERCIAL/DEALER PLATES. *TO PROVIDE FOR STAGGERED ISSUANCE OF COMMERCIAL LICENSE PLATES, DEALER LICENSE PLATES, AND MOTOR VEHICLE DEALERS AND MANUFACTURERS LICENSES.* Amends various sections of GS Ch. 20, Art. 3, as title indicates. Amends GS 20-79 by providing that the 12-month period used for determining the number of dealer license plates which shall be issued will begin on January 1 (was, May 1). Amends GS 20-88(b)(6) to require monthly proration of wrecker fees (was, quarterly). Effective Jan. 1, 2005.
Intro. by Cole, Gillespie.
Ref. to Rules GS 20

CALENDAR ACTION
May 11, 2004

NOTES
1. Amendments and committee substitutes adopted today are summarized in the following section of today's Daily Bulletin.
2. The dates on which previous amendments or committee substitutes were adopted are listed below bill numbers.
3. The action "Cal Pursuant Rule 36b" indicates that the bill has been reported by committee and is awaiting calendaring by the Rules Committee.
4. Enacted bills are indicated by #, failed bills by *.

PUBLIC BILLS

H1042	STUDY REVOCATION OF LOCAL INSPECTION PERMITS.	H	REC FROM SENATE
05-07-03			
S0802	MED. PROVIDER INS./CIVIL JUSTICE REFORM ACT	H	REC FROM SENATE
		H	REF TO COM ON RULES, CALENDAR, AND OPERATIONS OF THE HOUSE
09-15-03			
S1032	HONORING MAGGIE VALLEY FOUNDERS/100TH BIRTHDAY.	H	REC FROM SENATE
		H	REF TO COM ON RULES, CALENDAR, AND OPERATIONS OF THE HOUSE
S1042	MARRIAGE BY SUPERIOR/DISTRICT COURT JUDGE.	H	REC FROM SENATE
		H	REF TO COM ON RULES, CALENDAR, AND OPERATIONS OF THE HOUSE

SUMMARIES OF AMENDMENTS AND COMMITTEE SUBSTITUTES

NONE

NEXT SESSIONS

May 12, 2004

HOUSE convenes at 11:30 a.m.

SENATE convenes at 11:30 a.m.

G41
.2004/3

Daily Bulletin

ACTIONS BY THE NORTH CAROLINA GENERAL ASSEMBLY

Institute *of* Government—School of Government
The University of North Carolina at Chapel Hill
Legislative Reporting Service, Box 7294 State Legislative Building, Raleigh, NC 27601
Phone 919.733.2484 Fax 919.715.3464

House Legislative Day 106 Vol. 2004, No. 3 Senate Legislative Day 108

Wednesday, May 12, 2004

BILLS INTRODUCED TODAY

BILL #	SHORT TITLE	IDEN	COMMITTEE	GS INDEX OR COUNTIES AFFECTED
S 1050	SMALL SCHOOL SYSTEM SUPPLEMENTAL FUNDING	H 1361	EDUCATION	APPROP
S 1051	SUNSET BEACH IN STATE HEALTH PLAN		SEL-HOSP & MED BEN	BRUNSWICK
S 1052	PITT COUNTY SR. CENTER FUNDS		APPROPRIATIONS	LOCAL APPROP
S 1053	CARDIOVASCULAR DISEASES INSTITUTE	H 1353	APPROPRIATIONS	APPROP
S 1054	INCREASE METHAMPHETAMINE PENALTIES		JUDICIARY II	14, 90
S 1055	HALIFAX MAGISTRATE FUNDS		APPROPRIATIONS	APPROP
S 1056	MONETARY COMPENSATION—OUTDOOR ADVERTISING		COMMERCE	136
H 1384	STATE EMPLOYEES/TEACHERS PAY INCREASES		RULES	7A, 120, APPROP
H 1385	WASHINGTON/CRESWELL SATELLITE ANNEXATIONS		RULES	BEAUFORT, WASHINGTON
H 1386	INDIAN TRAIL TOWN ATTORNEY		RULES	UNION
H 1387	EXPAND THE TEACHING FELLOWS PROGRAM		RULES	APPROP
H 1388	APPROPRIATE FUNDS FOR ABC BONUSES		RULES	APPROP
H 1389	DOT AUTHORITY TO ISSUE GARVEE BONDS		RULES	136
H 1390	2004 APPROPRIATIONS ACT-2		RULES	APPROP
H 1391	STATE VETERANS CEMETERIES/FUNDS		RULES	65, APPROP
H 1392	TANF BLOCK GRANT FUNDS/BOYS & GIRLS CLUB		RULES	APPROP
H 1393	FEDERAL ENFORCEMENT BY MARINE INSPECTORS		RULES	113
H 1394	8-YEAR DRIVERS LICENSE/INTERNET DL RENEWAL		RULES	20
H 1395	CARE FOR THE MENTALLY ILL IN LTC FACILITIES		RULES	STUDY
H 1396	SENIOR CENTER FUNDS		RULES	APPROP
H 1397	NO STATE OFFICIALS IN PSAS		RULES	UNCODIFIED
H 1398	I-40 US VETERANS MEMORIAL HIGHWAY		RULES	136
H 1399	DOT DRIVEWAY CONNECTION CHANGES		RULES	136
H 1400	ONE NC FUND APPROPRIATIONS/CODIFICATION		RULES	143B, 150B, APPROP
H 1401	WILKES VISITOR CENTER	S 1044	RULES	WILKES
H 1402	2004 APPROPRIATIONS ACT-4		RULES	APPROP
H 1403	2004 APPROPRIATIONS ACT-3		RULES	APPROP
H 1404	COMM. COLLEGE/FACULTY/PROF. STAFF SALARIES		RULES	APPROP
H 1405	INVESTIGATORIAL ASSISTANT FUNDS/DISTRICT 16A		RULES	7A, APPROP
H 1406	YOUTHFUL OFFENDER STUDY		RULES	STUDY, APPROP
H 1407	CAROLINA CHILDREN COMM. DISORDERS PROG FUNDS		RULES	APPROP
H 1408	HCCBG FUNDS		RULES	APPROP
H 1409	LEGISLATIVE STUDY COMM./GUARDIANSHIP		RULES	STUDY, APPROP
H 1410	SUNSET BEACH IN STATE HEALTH PLAN	S 1051	RULES	BRUNSWICK

N.C. DOCUMENTS CLEARINGHOUSE
JUN 0 2 2004
STATE LIBRARY OF NORTH CAROLINA RALEIGH

This publication is printed on permanent, acid-free paper in compliance with the North Carolina General Statutes.
Institute of Government—School of Government
The University of North Carolina at Chapel Hill
© 2004

H 1411	HATTERAS VILLAGE/TEMP. UNVEGETATED BEACH AREA	RULES	113A
H 1412	MILITARY POA FILING FEES ELIMINATED	RULES	161
H 1413	TAX CREDIT FOR LONG-TERM CARE INSURANCE	RULES	105
H 1414	2004 APPROPRIATIONS ACT-1	RULES	APPROP
H 1415	ALTERNATIVE R&D CREDIT	RULES	105
H 1416	EXTEND AND EXPAND JDIG	RULES	143B
H 1417	MODIFY BILL LEE TIERS	RULES	105
H 1418	ELIMINATE IRB WAGE STANDARD	RULES	159C, 159D
H 1419	HONORING L T. "BECK" COX	RULES	HOUSE RES
H 1420	REGIONAL AGENCY DEBT SETOFF	RULES	105A

SUMMARIES OF BILLS INTRODUCED TODAY

SENATE BILLS

S 1050. SMALL SCHOOL SYSTEM SUPPLEMENTAL FUNDING (=H 1361). *TO MODIFY THE FORMULA FOR ALLOCATING SMALL SCHOOL SYSTEM SUPPLEMENTAL FUNDING.* Identical to H 1361, introduced 5/11/04.
Intro. by Carpenter.
Ref. to Education APPROP

S 1051. SUNSET BEACH IN STATE HEALTH PLAN. *TO PROVIDE THAT THE TOWN OF SUNSET BEACH IS AN EMPLOYING UNIT UNDER THE TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN.* As title indicates. Makes local amendment to GS 135-40.1(6) to allow Town of Sunset Beach to participate in Teachers' and State Employees' Comprehensive Major Medical Plan. Effective July 1, 2004.
Intro. by Soles.
Ref. to Sel-Hosp. & Med. Ben. BRUNSWICK

S 1052. PITT COUNTY SR. CENTER FUNDS. *TO APPROPRIATE FUNDS TO HELP CONSTRUCT THE NEW PITT COUNTY SENIOR CENTER.* As title indicates, appropriates $500,000 for 2003-04 from General Fund to Pitt County. Effective July 1, 2003.
Intro. by Moore.
Ref. to Appropriations LOCAL APPROP

S 1053. CARDIOVASCULAR DISEASES INSTITUTE (=H 1353). *TO APPROPRIATE FUNDS TO THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA TO CONSTRUCT THE NORTH CAROLINA CARDIOVASCULAR DISEASES INSTITUTE AT EAST CAROLINA UNIVERSITY.* Identical to H 1353, introduced 5/11/04.
Intro. by Moore.
Ref. to Appropriations APPROP

S 1054. INCREASE METHAMPHETAMINE PENALTIES. *TO PROVIDE THAT THE UNLAWFUL DISTRIBUTION OF METHAMPHETAMINE THAT PROXIMATELY RESULTS IN THE DEATH OF A PERSON IS SECOND DEGREE MURDER, TO MAKE IT AN AGGRAVATING FACTOR TO MANUFACTURE METHAMPHETAMINE IN A LOCATION THAT ENDANGERS A CHILD, TO INCREASE THE CRIMINAL PENALTY FOR THE UNLAWFUL MANUFACTURE OF METHAMPHETAMINE, AND TO INCREASE THE CRIMINAL PENALTY FOR THE POSSESSION OF PRECURSOR SUBSTANCES FOR METHAMPHETAMINE, AS RECOMMENDED BY THE JOINT LEGISLATIVE CORRECTIONS, CRIME CONTROL, AND JUVENILE JUSTICE OVERSIGHT COMMITTEE.* Amends GS 14-17, 15A-1340.16(d), 90-95(d1), and 90-95(d2) and adds new GS 90-95(b)(1a) as title indicates. Provides that the manufacture of methamphetamine shall be punishable as a Class C felony, except that the offense of packaging or labeling shall be punishable as a Class H felony. Increases the penalty for possession or distribution of a precursor substance for methamphetamine with the intent to manufacture from a Class H to a Class F felony. Applies to offenses committed on or after Dec. 1, 2004.
Intro. by Dalton, Nesbitt, Queen, Thomas.
Ref. to Judiciary II GS 14, 90

S 1055. HALIFAX MAGISTRATE FUNDS. *TO APPROPRIATE FUNDS TO ESTABLISH A NEW MAGISTRATE POSITION FOR HALIFAX COUNTY.* Appropriates $42,021 for 2004-05 from General Fund to Judicial Dep't as title indicates. Effective July 1, 2004.
Intro. by Holloman.
Ref. to Appropriations APPROP

S 1056. MONETARY COMPENSATION - OUTDOOR ADVERTISING. *TO REQUIRE LOCAL GOVERNMENTS TO PAY MONETARY COMPENSATION FOR REMOVAL OF LAWFULLY ERECTED OFF-PREMISES OUTDOOR ADVERTISING SIGNS AND TO AUTHORIZE LOCAL GOVERNMENTS TO ENTER INTO RELOCATION AND RECONSTRUCTION AGREEMENTS WITH OWNERS OF NONCONFORMING OFF-PREMISES OUTDOOR ADVERTISING SIGNS.* Adds new GS 136-131.2, prohibiting local governments from enacting ordinances to require removal of outdoor advertising without payment of monetary compensation as title indicates. Defines "monetary compensation," establishes notice procedure, and provides for methods of resolving disputes. Does not apply to ordinances in effect as of the effective date of the act.
Intro. by Dalton, Kerr, Hartsell, Hoyle, Webster.
Ref. to Commerce GS 136

HOUSE BILLS

H 1384. STATE EMPLOYEES/TEACHERS PAY INCREASES. *APPROPRIATING FUNDS TO PROVIDE TO PUBLIC SCHOOL PERSONNEL AND TO STATE EMPLOYEES A LEGISLATIVE PAY INCREASE OF FIVE PERCENT AND ESTABLISHING A MINIMUM LIVING WAGE FOR STATE-FUNDED EMPLOYEES.* Increases by 5 percent the salaries of all permanent full-time state employees whose salaries are set in accordance with the State Personnel Act and who are paid from the General Fund or the Highway Fund, as well as the salaries of nonelected employees of the General Assembly. Also provides a 5 percent salary increase for permanent full-time state officials and persons in exempt positions that are recommended by the Governor or the Governor and the Advisory Budget Comm'n and set by the General Assembly. Salaries and related benefits that are funded partially by the General or Highway Fund are to be increased only to the extent of the proportionate part of the salaries paid from that fund. Increased retirement and social security contributions are also funded.

Provides that all permanent, full-time state-supported personnel are to be paid a minimum salary of $18,500 per year.

Transfers sufficient funds from the Reserve for Compensation Increase to State Board of Education to provide an average annual salary increase of 5 percent for all public school personnel (employers' retirement and social security contributions are included). Provides guidelines for distributing the money, including a requirement that all non-certified full-time public school employees must receive the greater of either a 5 percent salary increase or the amount needed to increase 10-month salaries to $18,500.

Salaries of specific officials are increased as follows. Governor's annual salary, to $124,352. Salaries of Council of State members, to $109,749. Salaries of non-elected heads of the principal State departments, to $107,225. Chairman, ABC Comm'n, to $97,593; State Controller, to $136,582; Comm'r of Motor Vehicles, to $97,593; Comm'r of Banks, to $109,749; Chairman, Employment Security Comm'n, to $136,409; State Personnel Director, to $107,225; Chairman, Parole Comm'n, to $89,115; Members, Parole Comm'n, $82,274; Chairman, Utilities Comm'n, $122,225; Members, Utilities Comm'n, $109,749; Executive Director, Agency for Public Telecommunications, $82,274; Director, Museum of Art, $100,002; Executive Director, NC Housing Finance Agency, $120,783; Executive Director, NC Agricultural Finance Authority, $94,994; State Chief Information Officer, $136,500.

Judicial officials' increased salaries are the following. Chief Justice, Supreme Court, $124,352; Associate Justice, Supreme Court, $121,103; Chief Judge, Court of Appeals, $118,075; Judge, Court of Appeals, $116,057; Senior Regular Resident Superior Court Judge, $112,903; Superior Court Judge, $109,749; Chief District Court Judge, $99,658; District Court Judge, $96,504; Administrative Officer of the Courts, $112,903; Assistant Administrative Officer of the Courts, $103,127. Salary range for Magistrates is increased to $28,233 (Entry Rate) to $49,207 (Step 6).

District attorneys and public defenders are to continue to set the salaries of their assistants, with the approval of the AOC or the Comm'n on Indigent Defense Services, respectively. Average salary of these assistants in the judicial district is increased; under act it must not exceed $63,201. Minimum salary is also increased, minimum salary must be at least $32,587.

Clerk of superior court salaries are increased to $73,407 (population of county, less than 100,000; salary is intended to be approximately 73 percent of a chief district court judge's salary); $82,375 (population of county,

100,000 to 149,999; salary is about 82 percent of such a judge's salary); $91,344 (population of county, 150,000 to 249,999; salary is about 91 percent of such a judge's salary); and $100,314 (population of county, 250,000 and above; salary is about 100 percent of such a judge's salary). Provisions concerning changing salary when county moves from one grouping to another are unchanged. Range of salaries for Assistant Clerks and Head Bookkeeper are increased to $27,841 to $48,787, and for Deputy Clerks, to $23,693 to $37,731.

The salaries of the principal clerks of the House and the Senate are increased to $92,721. The reading clerk's and the sergeant-at-arms' salaries are increased to $307.00 per week. Other provisions concerning their compensation and service remain unchanged.

Transfers sufficient funds from the Reserve for Compensation Increase to the NC Community College System Office and to the Board of Governors of The University of North Carolina, respectively, to provide an average annual 5 percent salary increase (including funds for the employer's retirement and social security contributions), for all permanent full-time community college institutional personnel supported by state funds, and to provide such an increase for all UNC employees, as well as employees other than teachers of the NC School of Science and Mathematics supported by State funds and whose salaries are exempt from the State Personnel Act. State Board of Community Colleges and Board of Governors are to establish guidelines for providing the increases, and are to have the flexibility to use any excess funds for merit increases.

Appropriates $535,700,000 for 2004-2005 from General Fund to Reserve for Compensation Increase, and $21,900,000 for 2004-2005 from Highway Fund to Reserve for Compensation Increase to implement the legislative pay increases authorized by act.

Effective July 1, 2004. Increases do not apply to persons separated from State service due to resignation, dismissal, reduction-in-force, death, or retirement, whose last work day is prior to July 1.

Intro. by Hackney.

Ref. to Rules GS 7A, 120, APPROP

H 1385. WASHINGTON/CRESWELL SATELLITE ANNEXATIONS. *TO REMOVE THE CAP ON SATELLITE ANNEXATIONS BY THE CITY OF WASHINGTON AND THE TOWN OF CRESWELL.* As title indicates.

Intro. by A. Williams.

Ref. to Rules BEAUFORT, WASHINGTON

H 1386. INDIAN TRAIL TOWN ATTORNEY. *AMENDING THE CHARTER OF THE TOWN OF INDIAN TRAIL TO REMOVE THE REQUIREMENT THAT THE TOWN ATTORNEY SHALL ATTEND ALL TOWN COUNCIL MEETINGS.* As title indicates.

Intro. by Blackwood.

Ref. to Rules UNION

H 1387. EXPAND THE TEACHING FELLOWS PROGRAM. *TO APPROPRIATE FUNDS TO EXPAND THE TEACHING FELLOWS PROGRAM.* As title indicates, appropriates $205,000 for 2004-2005 from General Fund to State Board of Education to provide for 25 additional scholarships. Effective July 1, 2004.

Intro. by Glazier.

Ref. to Rules APPROP

H 1388. APPROPRIATE FUNDS FOR ABC BONUSES. *TO APPROPRIATE FUNDS FOR BONUSES UNDER THE ABC'S OF PUBLIC EDUCATION PROGRAM.* Appropriates $145 million for 2004-05 from General Fund to State Aid to Local School Administrative Units for incentive funding for schools that met or exceeded projected improvement levels during 2003-04 school year. Provides that in accordance with State Bd. of Education policy, awards for schools that achieve higher than expected improvements may be up to: $1,500 for each teacher and certified personnel and $750 for each teacher assistant; and that awards for schools that met expected improvements may be up to: $750 for each teacher and certified personnel and $375 for each teacher assistant. Effective July 1, 2004.

Intro. by Glazier.

Ref. to Rules APPROP

H 1389. DOT AUTHORITY TO ISSUE GARVEE BONDS. *TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO ISSUE "GARVEE" GRANT ANTICIPATION REVENUE VEHICLE BONDS AND TO DIRECT THE SECRETARY OF THE DEPARTMENT OF TRANSPORTATION AND THE STATE TREASURER TO DEVELOP AN IMPLEMENTATION PLAN FOR ISSUANCE OF BONDS.* As title indicates adopts new GS 136-18(12b) effective July 1, 2005. Requires that Sec'y of Dep't of Transportation and State Treasurer jointly

form a comm. to develop the implementation plan and that they submit that plan to the Transportation Appropriations Subcommittee and the Jt. Legis. Transportation Oversight Comm. by March 1, 2005.
Intro. by McComas.
Ref. to Rules GS 136

H 1390. 2004 APPROPRIATIONS ACT-2. *TO MODIFY THE CURRENT OPERATIONS AND CAPITAL APPROPRIATIONS ACT OF 2003 AND TO MAKE OTHER CHANGES IN THE BUDGET OPERATIONS OF THE STATE.* Blank bill.
Intro. by Sherrill, Crawford.
Ref. to Rules APPROP

H 1391. STATE VETERANS CEMETERIES/FUNDS. *TO PROVIDE FOR SATURDAY INTERMENT SERVICES IN STATE VETERANS CEMETERIES AND TO APPROPRIATE FUNDS FOR THIS PURPOSE.* As title indicates, appropriates $5,000 for 2004-2005 from General Fund to Dep't of Administration, Div'n of Veterans Affairs. Adds new GS 65-44 requiring that interment services in state veterans cemeteries shall be held from Monday through Saturday, except on state holidays. Effective July 1, 2004.
Intro. by Grady.
Ref. to Rules GS 65, APPROP

H 1392. TANF BLOCK GRANT FUNDS/BOYS & GIRLS CLUB. *TO APPROPRIATE FEDERAL FUNDS UNDER THE TANF BLOCK GRANT FOR BOYS AND GIRLS CLUBS.* Appropriates $1 million for 2004-05 from the Temporary Assistance to Needy Families Block Grant to Dep't of Health & Human Services to fund grants to support various Boys and Girls Clubs programs and implement other initiatives intended to reduce school dropout and teen pregnancy rates. Effective July 1, 2004.
Intro. by Grady.
Ref. to Rules APPROP

H 1393. FEDERAL ENFORCEMENT BY MARINE INSPECTORS. *TO ALLOW MARINE FISHERIES INSPECTORS TO ACCEPT DELEGATION OF LAW ENFORCEMENT POWERS FROM THE NATIONAL MARINE FISHERIES SERVICE.* Adds new GS 113-134.1(b) as title indicates.
Intro. by Wainwright.
Ref. to Rules GS 113

H 1394. 8-YEAR DRIVERS LICENSE/INTERNET DL RENEWAL. *TO AUTHORIZE EIGHT-YEAR DRIVERS LICENSES AND INTERNET RENEWAL OF DRIVERS LICENSE.* Amends GS 20-7(f) to provide that drivers licenses issued to a person at least 18 years old but less that 57 years old will expire eights years after issuance or on the person's 60th birthday, and that a drivers license issued to a person at least 60 years old will expire five years after issuance (was, first license issued to person from 17-18 years old expired on person's 20th birthday, first license issued to person 62 years and older expired after five years, and first license issued to all other persons expired on fourth or subsequent birthday that occurs after license issuance and on which person's age was evenly divisible by five). Further provides for electronic renewal of eight-year licenses for one additional five year period for person at least 25 years old and less than 60 years old and who: (1) has no more than two reportable accidents and no drivers license restrictions in the previous year; and (2) has four or fewer drivers license points, except that commercial drivers licenses subject to federal retesting requirements may not renew electronically. Authorizes Div'n of Motor Vehicles to waive the vision and sign tests for electronic renewals. Effective Jan. 1, 2005.
Intro. by Gillespie.
Ref. to Rules GS 20

H 1395. CARE FOR THE MENTALLY ILL IN LTC FACILITIES. *TO PROVIDE SUPPORT AND TRAINING FOR LONG-TERM CARE PROVIDERS CARING FOR RESIDENTS WITH MENTAL ILLNESSES, AS RECOMMENDED BY THE NORTH CAROLINA STUDY COMMISSION ON AGING.*

Directs Dep't of Health and Human Services (Dep't) to study expanding the mission of the Geriatric Mental Health Specialty Teams to assist long-term care facilities in serving all residents who are within the targeted populations identified in the State Plan developed under GS 122C-102. Dep't is to consider renaming the Teams "LTC Mental Health Specialty Teams" to reflect expanded mission.

While undertaking the study, Dep't is also to implement (1) standardization of various criteria used by the Teams, such as eligibility for services and screening processes; (2) tracking of expenditure data for each Team

and each Area Program/Local Management Entity; and (3) tracking the number of facilities and clients served, and the types of services provided by each Team.

Dep't is to submit an interim report on its efforts with respect to (1), (2) and (3) to NC Study Comm'n on Aging by Oct. 30, 2004, and a final report on its standardization and tracking efforts, and the results of its study, to the Comm'n by Oct. 30, 2005

Intro. by Nye, G. Wilson.

Ref. to Rules STUDY

H 1396. SENIOR CENTER FUNDS. *TO APPROPRIATE FUNDS FOR SENIOR CENTER DEVELOPMENT AND OUTREACH, AS RECOMMENDED BY THE NORTH CAROLINA STUDY COMMISSION ON AGING.* Appropriates $281,000 for 2004-05 from General Fund to DHHS, Div'n on Aging, for senior center outreach and development. Requires that state funds not exceed 75% of reimbursable costs. Effective July 1, 2004.

Intro. by Nye, Clary, Weiss, G. Wilson.

Ref. to Rules APPROP

H 1397. NO STATE OFFICIALS IN PSAS. *TO PROHIBIT ELECTED STATE EMPLOYEES FROM APPEARING IN PUBLIC SERVICE ANNOUNCEMENTS PAID FOR FROM STATE FUNDS OR FROM FUNDS RECEIVED FROM SETTLEMENT OF LITIGATION.* As title indicates, except that it applies to elected state officials. Also applies to PSA's paid for by federal funds.

Intro. by Allred.

Ref. to Rules UNCOD

H 1398. I-40 US VETERANS MEMORIAL HIGHWAY. *TO DESIGNATE THE I-40 CORRIDOR IN NORTH CAROLINA AS THE U.S. VETERANS MEMORIAL HIGHWAY.* Adopts new GS 136-18.5B as title indicates.

Intro. by Allred.

Ref. to Rules GS 136

H 1399. DOT DRIVEWAY CONNECTION CHANGES. *TO AMEND THE AUTHORITY OF THE DEPARTMENT OF TRANSPORTATION CONCERNING DRIVEWAY CONNECTIONS TO STATE HIGHWAYS.* Amends GS 136-18(29) as title indicates; adds to DOT's authority and discretion in this area. Specifies that DOT may require the construction and public dedication by others of traffic control devices as well as of medians and various types of lanes for driveway connections onto public roads where the combined existing traffic and projected traffic generated by the proposed development meets or exceeds an average daily traffic volume of 4,000 vehicles per day or if, in DOT's opinion, an unsafe condition will be created. Now, DOT can regulate connections into roads with an average daily traffic volume of 4,000 vehicles per day; bill adds underlined provisions allowing traffic control devices, consideration of projected traffic flows, and consideration of unsafe conditions generally. Effective July 1, 2004.

Intro. by Stiller.

Ref. to Rules GS 136

H 1400. ONE NC FUND APPROPRIATIONS/CODIFICATION. *TO APPROPRIATE FUNDS TO THE ONE NORTH CAROLINA FUND AND TO CODIFY PROVISIONS RELATING TO THE ONE NORTH CAROLINA FUND.* Appropriates $10 million for 2004-2005 from General Fund to the One North Carolina Fund. Enacts new Part 2H of GS Ch. 143B, Art. 10. GS 143B-437.71 to establish the One North Carolina Fund as a nonreverting account and require that the Fund be allocated to local governments for certain delineated purposes intended to secure commitments for the recruitment, expansion, or retention of new and existing businesses. GS 143B-437.72 provides that the Fund may only be disbursed in accordance with agreements between the state, local government(s), and a grantee business. GS 143B-437.73 requires that the Dep't of Commerce develop guidelines for the administration of the Fund in conjunction with the Governor's office. Requires that the Dep't submit quarterly reports on the use of the Fund to various committees of the General Assembly. Effective July 1, 2004.

Intro. by Daughtridge, Wainwright, G. Allen, Dickson, Harrell, L. Johnson, LaRoque, McComas, Owens, Tolson, Walker.

Ref. to Rules GS 143B, 150B, APPROP

H 1401. WILKES VISITOR CENTER (=S 1044). *TO PERMIT THE COUNTY OF WILKES TO ACQUIRE PROPERTY AND CONVEY IT TO THE STATE FOR USE AS A VISITORS' CENTER/REST AREA.* Identical to S 1044, introduced 5/11/04.
Intro. by Walker.
Ref. to Rules WILKES

H 1402. 2004 APPROPRIATIONS ACT-4. *TO MODIFY THE CURRENT OPERATIONS AND CAPITAL APPROPRIATIONS ACT OF 2003 AND TO MAKE OTHER CHANGES IN THE BUDGET OPERATIONS OF THE STATE.* Blank bill.
Intro. by Crawford, Sherrill.
Ref. to Rules APPROP

H 1403. 2004 APPROPRIATIONS ACT-3. *TO MODIFY THE CURRENT OPERATIONS AND CAPITAL APPROPRIATIONS ACT OF 2003 AND TO MAKE OTHER CHANGES IN THE BUDGET OPERATIONS OF THE STATE.* Blank bill.
Intro. by Crawford, Sherrill.
Ref. to Rules APPROP

H 1404. COMM. COLLEGE FACULTY/PROF. STAFF SALARIES. *TO IMPLEMENT A PLAN FOR MOVING FACULTY AND PROFESSIONAL STAFF SALARIES IN THE NORTH CAROLINA COMMUNITY COLLEGE SYSTEM TO THE NATIONAL AVERAGE.* Establishes the following minimum salaries for 2004-2005 school year for nine-month, full-time, curriculum community college faculty, based on the diploma or degree held by the faculty member: Vocational Diploma/Certificate or Less (defined in act), $26,973; Associates Degree or Equivalent (defined in act), $27,369; Bachelors Degree, $29,232; Masters Degree or Education Specialist, $30,861; and Doctoral Degree, $33,210. Provides that no full-time faculty member is to earn less than the minimum salary for his or her education level. The pro rata hourly rate of the minimum salary for each level is to be used to determine the minimum salary for part-time faculty members.

Act states the intent of the General Assembly to encourage community colleges to make faculty salaries their highest priority and to reward colleges that have taken steps to achieve the national average. It therefore allows colleges where the average faculty salary (defined in act) is 100 percent or more of the national average community college faculty salary (also defined) to transfer up to 10 percent of the state funds allocated to it for faculty salaries. If the college is at 95 percent, it may transfer up to 8 percent; if it is at 90 percent, it may transfer up to 6 percent; if it is at 85 percent, it may transfer up to 4 percent; and if it is at 85 percent or less, it may transfer up to 2 percent. Greater transfers are not allowed, except that the State Board of Community Colleges (State Board) may authorize a college with an average faculty salary that is less than 85 percent of the national average to transfer more than 2 percent, for purposes that directly affect student services. The State Board is to adopt rules to implement this last provision.

Authorizes community colleges to use all State funds allocated to them to increase faculty salaries, except for Literacy Funds and Funds for New and Expanding Industries.

State Board is to adopt rules to implement act's provisions. It is to report to the appropriations subcommittees on education, the Speaker of the House, the President Pro Tempore of the Senate, the Fiscal Research Division, and the Office of State Budget and Management by Dec. 1, 2004, and every year thereafter through Dec. 1, 2009, on act's implementation.

Appropriates $1,500,000 for 2004-2005 from the General Fund to the Community Colleges System Office to implement the minimum salaries set out in the act. Funds are to be allocated to those colleges with faculty below the minimum salary in each education level as determined by the Community Colleges System, and are to be used only to bring the salaries of full-time faculty members to the minimums.

Appropriates $33,289,371 for fiscal 2004-2005 from the General Fund to the Community Colleges System Office to increase the salaries of community college faculty and professional staff.
Effective July 1, 2004.
Intro. by Tolson, McLawhorn, Warren, Bordsen.
Ref. to Rules APPROP

H 1405. INVESTIGATORIAL ASSISTANT FUNDS/DISTRICT 16A. *TO APPROPRIATE FUNDS TO ESTABLISH AN INVESTIGATORIAL ASSISTANT POSITION IN PROSECUTORIAL DISTRICT 16A.* Appropriates from General Fund to Judicial Dep't $59,022 for 2004-05 as title indicates Effective July 1, 2004.
Intro. by Sutton.
Ref. to Rules GS 7A, APPROP

H 1406. YOUTHFUL OFFENDER STUDY. *TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY ISSUES RELATED TO THE CONVICTION AND SENTENCING OF YOUTHFUL OFFENDERS AND TO APPROPRIATE FUNDS.* As title indicates. Appropriates from General Fund to General Assembly $20,000 for 2004-05 for the study. Effective July 1, 2004.
Intro. by Bordsen, Crawford.
Ref. to Rules STUDY, APPROP

H 1407. CAROLINA CHILDREN COMM. DISORDERS PROG. FUNDS. *TO APPROPRIATE FUNDS FOR THE CAROLINA CHILDREN'S COMMUNICATIVE DISORDERS PROGRAM.* Appropriates $322,000 for 2004-2005 from General Fund to DHHS, Div'n of Public Health, to assist deaf and hard of hearing children. Effective July 1, 2004.
Intro. by Nye.
Ref. to Rules APPROP

H 1408. HCCBG FUNDS. *TO APPROPRIATE FUNDS FOR THE HOME AND COMMUNITY CARE BLOCK GRANT, AS RECOMMENDED BY THE NORTH CAROLINA STUDY COMMISSION ON AGING.* Appropriates $1,000,000 for 2004-2005 from General Fund to DHHS, Div'n on Aging, as title indicates. Effective July 1, 2004.
Intro. by Nye, Clary, Weiss.
Ref. to Rules APPROP

H 1409. LEGISLATIVE STUDY COMM./GUARDIANSHIP. *TO ESTABLISH THE LEGISLATIVE STUDY COMMISSION ON STATE GUARDIANSHIP LAWS, AS RECOMMENDED BY THE NORTH CAROLINA STUDY COMMISSION ON AGING.* Appropriates $30,000 for 2004-05 and $30,000 for 2005-06 from General Fund to General Assembly as title indicates. Comm'n will consist of 15 members, including four members of the House, four members of the Senate, and representatives from various state and local agencies and businesses. Delineates several issues that should be considered by the Comm'n when conducting the study, and requires that the Comm'n make its final report to the 2005 General Assembly upon the convening of the 2006 regular session. Effective July 1, 2004.
Intro. by Nye, Weiss, G. Wilson.
Ref. to Rules STUDY, APPROP

H 1410. SUNSET BEACH IN STATE HEALTH PLAN (=S 1051). *TO PROVIDE THAT THE TOWN OF SUNSET BEACH IS AN EMPLOYING UNIT UNDER THE TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN.* Identical to S 1051, introduced 5/12/04.
Intro. by Hill.
Ref. to Rules BRUNSWICK

H 1411. HATTERAS VILLAGE/TEMP. UNVEGETATED BEACH AREA. *TO DESIGNATE AS TEMPORARY UNVEGETATED BEACH AREAS CERTAIN OCEANFRONT AREAS ON HATTERAS ISLAND WHERE THE VEGETATION LINE WAS DESTROYED BY HURRICANE ISABEL AND THE REMNANTS OF THE VEGETATION LINE WERE BURIED BY THE CONSTRUCTION OF AN EMERGENCY BERM, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.* As title indicates, designation to continue until stable, natural vegetation is reestablished or until area is permanently designated as an unvegetated beach area.
Intro. by Culpepper.
Ref. to Rules GS 113A

H 1412. MILITARY POA FILING FEES ELIMINATED. *TO ELIMINATE THE FEES CHARGED BY THE REGISTER OF DEEDS TO FILE A POWER OF ATTORNEY OR THE REVOCATION OF A POWER OF ATTORNEY MADE BY AN ACTIVE DUTY MILITARY MEMBER.* Amends GS 161-10.1 as title indicates.
Intro. by Setzer.
Ref. to Rules GS 161

H 1413. TAX CREDIT FOR LONG-TERM CARE INSURANCE. *TO REPEAL THE SUNSET ON THE LONG-TERM CARE INSURANCE TAX CREDIT.* Amends SL 1998-212, Sec. 29A.6(d) to make permanent both the tax credit for long-term care insurance premiums provided for in GS 105-151.28 and the provision in GS 105-160.3(b)

specifying that the credit is not allowed to an estate or trust. Effective for taxable years beginning on or after Jan. 1, 2004.
Intro. By Nye, Howard, Earle, England, Barnhart
Ref. to Rules GS 105

H 1414. 2004 APPROPRIATIONS ACT-1. *TO MODIFY THE CURRENT OPERATIONS AND CAPITAL APPROPRIATIONS ACT OF 2003 AND TO MAKE OTHER CHANGES IN THE BUDGET OPERATIONS OF THE STATE.* Blank bill.
Intro. by Sherrill, Crawford.
Ref. to Rules APPROP

H 1415. ALTERNATIVE R & D CREDIT. *TO CREATE AN ALTERNATIVE RESEARCH AND DEVELOPMENT TAX CREDIT.* Enacts new Art. 3F of GS Ch. 105, establishing a tax credit for NC research and development. Provides that a taxpayer is entitled to a credit equal to the following percentage of expenses for research performed in state: small business-3%; low-tier research-3%; and other research- up to 3% as determined by amount of expenses incurred. Further provides a credit equal to 15% of NC university research expenses incurred. Defines NC research university. Requires that taxpayer elect only one credit as allowed in GS 105-129.10, must make a binding election of the tax against which credit will be claimed and limits credit to 50% of tax. Requires that the Dep't of Revenue report to the General Assembly by May 1st of each year on the credits claimed and total cost to the General Fund. Effective Jan. 1, 2005. Repeals GS 105-129.10 and GS 105-129.51(c) effective Jan. 1, 2006.
Intro. by Daughtridge, Wainwright, G. Allen, Dickson, Harrell, L. Johnson, LaRoque, McComas, Owens, Tolson, Walker.
Ref. to Rules GS 105

H 1416. EXTEND AND EXPAND JDIG. *TO EXTEND THE SUNSET ON THE JOB DEVELOPMENT INVESTMENT GRANT PROGRAM AND TO ALLOW THE ECONOMIC INVESTMENT COMMITTEE TO ENTER INTO MORE AGREEMENTS UNDER THE PROGRAM AND TO COMMIT MORE FUNDS.* Amends GS 143B-437.62 to extend until Jan. 1, 2009 (now, expires Jan. 1, 2005) the authority of the state Economic Investment Committee to enter into new agreements under GS Ch. 143B, Art. 10, Part 2G, "Job Development Investment Grant Program." Amends GS 143B-437.52(c) to increase the maximum amount of total annual liability allowed for grants for agreements entered into in any single calendar year from $10 million to $18 million. Effective Jan. 1, 2004; applies to agreements entered into after that date.
Intro. by Daughtridge, Wainwright, G. Allen, Dickson, Harrell, L. Johnson, LaRoque, McComas, Owens, Tolson, Walker.
Ref. to Rules GS 143B

H 1417. MODIFY BILL LEE TIERS. *TO MODIFY THE FORMULA USED TO DETERMINE THE ENTERPRISE TIER DESIGNATION OF A COUNTY.* As title indicates. Amends GS 105-129.3(b) to provide that the enterprise factor assigned to each county annually by the Sec'y of Commerce is the sum of the county's ranks in a ranking of counties for the preceding 12 months (now, the preceding 3 years) for each of the three items listed in the statute (average rate of unemployment, average per capita income, and percentage growth in population). Effective when it becomes law; applies to designations made on or after that date.
Intro. by Daughtridge, Wainwright, G. Allen, Dickson, Harrell, L. Johnson, LaRoque, Luebke, McComas, Owens, Tolson, Walker.
Ref. to Rules GS 105

H 1418. ELIMINATE IRB WAGE STANDARD. *TO ELIMINATE THE WAGE STANDARD FOR INDUSTRIAL REVENUE BONDS.* Amends GS 159C-7(b)(1) and 159D-7(b)(1) as title indicates.
Intro. by Daughtridge, Wainwright, G. Allen, Dickson, Harrell, L. Johnson, LaRoque, McComas, Owens, Stam, Tolson, Walker.
Ref. to Rules GS 159C, 159D

H 1419. HONORING L .T. "BECK" COX. *HONORING L. T. "BECK" COX, THE FIRST PRESIDENT OF RANDOLPH TELEPHONE MEMBERSHIP CORPORATION, ON THE FIFTIETH ANNIVERSARY OF RANDOLPH TELEPHONE MEMBERSHIP CORPORATION.* As title indicates.
Intro. by Brubaker.
Ref. to Rules HOUSE RES

H 1420. REGIONAL AGENCY DEBT SETOFF. *TO EXTEND TO LOCAL GOVERNMENTS ACTING JOINTLY THE SAME SETOFF DEBT COLLECTION PROCEDURES CURRENTLY ALLOWED TO LOCAL GOVERNMENTS ACTING ALONE.* Adds new GS 105A-2(6)d. to include a regional joint agency created by interlocal agreement between two or more counties in definition of local agency eligible for setoff debt collection procedures. Effective as to income tax refunds determined on or after Jan. 1, 2004.
Intro. by LeRoque.
Ref. to Rules GS 105A

CALENDAR ACTION
May 12, 2004

NOTES
1. Amendments and committee substitutes adopted today are summarized in the following section of today's Daily Bulletin.
2. The dates on which previous amendments or committee substitutes were adopted are listed below bill numbers.
3. The action "Cal Pursuant Rule 36b" indicates that the bill has been reported by committee and is awaiting calendaring by the Rules Committee.
4. Enacted bills are indicated by #, failed bills by *.

PUBLIC BILLS

H1411	HATTERAS VILLAGE/TEMP. UNVEGETATED BEACH AREA.	HA REPTD FAV COM SUBSTITUTE H CAL PURSUANT RULE 36(B) H PLACED ON CAL FOR 5/12/2004 H PASSED 2ND & 3RD READING S REC FROM HOUSE S REF TO COM ON AGRICULTURE/ ENVIRONMENT/NATURAL RESOURCES
	05-12-04	
H1419	HONORING L.T. COX/ RANDOLPH TELE MEMBERSHIP CORP	HA REPTD FAV COM SUBSTITUTE H CAL PURSUANT RULE 36(B) H PLACED ON CAL FOR 5/12/2004 H ADOPTED
	05-12-04	
#S1032	HONORING MAGGIE VALLEY FOUNDERS/100TH BIRTHDAY.	H REPTD FAV H CAL PURSUANT RULE 36(B) H PLACED ON CAL FOR 5/12/2004 H PASSED 2ND & 3RD READING S RATIFIED SR CH. RES 2004-1
S1042	MARRIAGE BY SUPERIOR/DISTRICT COURT JUDGE.	HA REPTD FAV COM SUBSTITUTE H CAL PURSUANT RULE 36(B) H PLACED ON CAL FOR 5/12/2004 H PASSED 2ND & 3RD READING S REC TO CONCUR H COM SUB S PLACED ON CAL FOR 5/13/2004
	05-12-04	

SUMMARIES OF AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

S 1042. MARRIAGE BY SUPERIOR COURT JUDGE (NEW). Intro. 5/10/04. House committee substitute makes the following changes to 1st edition. Removes provisions authorizing district court judges to perform marriages. Changes sunset date to May 16, 2004.

HOUSE BILLS

H 1411. HATTERAS VILLAGE/TEMP. UNVEGETATED BEACH AREA. Intro. 5/12/04. House committee substitute makes the following changes to 1st edition. Makes technical changes only.

H 1419. HONORING L.T. "BECK" COX. Intro. 5/12/04. House committee substitute makes the following changes to 1st edition. Makes technical changes only.

NEXT SESSIONS

May 13, 2004

HOUSE convenes at 12:00 p.m.

SENATE convenes at 11:00 a.m.

G41
:2004/4

Daily Bulletin

ACTIONS BY THE NORTH CAROLINA GENERAL ASSEMBLY

Institute *of* Government—School of Government
The University of North Carolina at Chapel Hill
Legislative Reporting Service, Box 7294 State Legislative Building, Raleigh, NC 27601
Phone 919.733.2484 Fax 919.715.3464

House Legislative Day 107 Vol. 2004, No. 4 Senate Legislative Day 109

Thursday, May 13, 2004

BILLS INTRODUCED TODAY

BILL #	SHORT TITLE	IDEN	COMMITTEE	GS INDEX OR COUNTY AFFECTED
S 1057	DEFENSE OF MARRIAGE		JUDICIARY I	CONST
S 1058	UNC & COMM COLL. TUITION/MILITARY STUDENTS		EDUCATION	116
S 1059	SMALL BUSINESS HEALTH INSURANCE CREDIT	H 1375	FINANCE	105
S 1060	TOWN OF FRANKLIN OCCUPANCY TAX		FINANCE	MACON
S 1061	MODIFY BILL LEE TIERS	H 1417	FINANCE	105
S 1062	EXTEND AND EXPAND JDIG	H 1416	FINANCE	143B
S 1063	ELIMINATE IRB WAGE STANDARD	H 1418	FINANCE	159C, 159D
S 1064	FINANCE PARKS AND HERITAGE		FINANCE	113
S 1065	AERIAL SURVEY DATA SALES TAX		FINANCE	105
S 1066	INDIAN TRAIL TOWN ATTORNEY	H 1386	ST. GOV.	UNION
S 1067	DEATH BENEFITS/PROBATION AND PAROLE OFFICERS		APPROPRIATIONS	143
S 1068	TAX CREDIT FOR LONG-TERM CARE INSURANCE	H 1413	FINANCE	105
S 1069	ACCESSIBLE ELECTRONIC INFO ACT/BLIND/DISAB'D		APPROPRIATIONS	62, APPROP
S 1070	FEDERAL ENFORCEMENT BY MARINE INSPECTORS	H 1393	JUDICIARY I	113
S 1071	REC. SHELLFISH LICENSE/AMEND SHELLFISH LAWS	H 1427	AGRICULTURE	113, STUDY
S 1072	OSTEOPOROSIS EDUC. FUNDS		HELD AS FILED	APPROP
S 1073	OSTEOPOROSIS EDUCATION PROGRAM		HELD AS FILED	130A
S 1074	LOW-WEALTH SCHOOL SUPPLEMENTAL FUNDING		APPROPRIATIONS	APPROP
S 1075	SMALL BUSINESS FUNDS		APPROPRIATIONS	APPROP
S 1076	STATE HIGHWAY PATROL AUTHORITY		JUDICIARY I	20, APPROP
S 1077	INCREASE PENALTY—TRANSIT OPERATOR ASSAULT	H 1373	HELD AS FILED	14
S 1078	VEHICLE CONTROL SIGNS AND SIGNALS	H 1379	JUDICIARY I	20, 160A
S 1079	DOT RETIRED ENGINEERS	H 1371	ST. GOV.	135
S 1080	HIGHWAY TRUST FUND CHANGES	H 1344	ST. GOV.	136
S 1081	WORKERS' COMP./TRUCKING	H 1370	COMMERCE	97
S 1082	DOT MINORITY/WOMEN BUSINESSES PROGRAM	H 1359	JUDICIARY I	136
S 1083	STAGGERED ISSUANCE—COMMERCIAL/DEALER PLATES	H 1383	JUDICIARY I	20
S 1084	PUBLIC CONSTRUCTION SURETY BONDS	H 1424	FINANCE	58
S 1085	DOT TECHNICAL CORRECTION	H 1345	ST. GOV.	136
S 1086	PUBLIC TRANSIT DECELERATION LAMPS	H 1372	JUDICIARY I	20
S 1087	INTEREST ON HIGHWAY CONDEMNATION AWARDS	H 1346	JUDICIARY I	136
S 1088	MOPED ID TAGS	H 1343	JUDICIARY I	20
S 1089	DOT AUTHORITY TO RECEIVE FUNDS FROM LOCAL GOV.	H 1382	JUDICIARY I	136
S 1090	HOV LANES—EMERGENCY VEHICLES	H 1360	JUDICIARY I	20

N.C. DOCUMENTS CLEARINGHOUSE
JUN 0 2 2004

This publication is printed on permanent, acid-free paper in compliance with the North Carolina General Statutes
Institute of Government—School of Government
The University of North Carolina at Chapel Hill
© 2004

STATE LIBRARY OF NORTH CAROLINA
RALEIGH

S 1091	TRANSIT DRUG TEST		JUDICIARY I	20
S 1092	VA-NC INTERSTATE HIGH-SPEED RAIL COMPACT	H 1381	ST. GOV.	136
S 1093	EDGECOMBE TAX CERTIFICATION		FINANCE	EDGECOMBE
S 1094	ELECTRONIC FILING/REGISTER OF DEEDS		JUDICIARY I	ANSON,CUMBERLAND, GUILFORD,HYDE,IREDELL, MCDOWELL,ORANGE,PENDER, ROCKINGHAM,WAKE,WATAUGA
H 1421	FUNDS FOR PACE PILOT—DHHS		APPROPRIATIONS	APPROP
H 1422	MINT HILL—POLICE ALL-TERRAIN VEHICLES		TRANSPORTATION	MECKLENBURG
H 1423	APPRENTICESHIP TAX CREDIT		FINANCE	105
H 1424	PUBLIC CONSTRUCTION SURETY BONDS		INSURANCE	58
H 1425	MORGANTON/BURKE/BROUGHTON MUTUAL AID		LOCAL GOV II	BURKE
H 1426	GREENVILLE PARKING DECK PROJECTS		LOCAL GOV I	PITT
H 1427	REC. SHELLFISH LICENSE/AMEND SHELLFISH LAWS		FINANCE	113, STUDY
H 1428	EST. MARINE FISHERIES VIOLATION POINTS SYSTEM		ENVIRONMENT & NATURAL RESOURCES	113
H 1429	AMEND FISHERY MANAGEMENT PLAN REQUIREMENTS		ENVIRONMENT & NATURAL RESOURCES	113
H 1430	IRC UPDATE		FINANCE	105
H 1431	RESIDENTIAL CARE AND SAFETY STUDY		RULES	STUDY, APPROP
H 1432	FILM INDUSTRY DEVELOPMENT ACCOUNT		APPROPRIATIONS	143B, APPROP
H 1433	WAKE CO. HISTORIC PRESERVATION COMM.		LOCAL GOV I	WAKE
H 1434	WAKE COUNTY FAMILY COURT FUNDS		APPROPRIATIONS	APPROP
H 1435	MEMORIALIZING JAMES WESLEY "WILLIE" YORK		RULES	JOINT RES
H 1436	SMALL BUSINESS HEALTH INSURANCE CREDIT	S 1059	FINANCE	105
H 1437	CREDIT FOR HIRING APPRENTICES		FINANCE	105
H 1438	CHILDREN'S TRUST FUND/DPI TO DHHS		ST. GOV.	7B
H 1439	URGING CONGRESS TO CONSIDER AMENDMENT TO PERMIT CHILD PROTECTIVE SERVICES WORKERS TO OBTAIN FEDERAL CRIMINAL HISTORIES WHEN INVESTIGATING ALLEGATIONS OF CHILD ABUSE AND NEGLECT		RULES	HOUSE RES
H 1440	CHILD PROTECTIVE SERVICES SPECIAL PROVISIONS		APPROPRIATIONS	STUDY
H 1441	CHILD WELFARE APPROPRIATION MATTERS		APPROPRIATIONS	APPROP
H 1442	REDUCE CORPORATE INCOME TAXES		FINANCE	105
H 1443	COMMERCE SERVICE CENTER		COMMERCE	143B, 147
H 1444	JDIG—ENCOURAGE USE OF NC SMALL BUSINESSES		COMMERCE	143B
H 1445	CORPORATE INCOME TAX EXEMPTION		FINANCE	105
H 1446	ECON. INFRASTRUCTURE PROGRAM AT RURAL CENTER		APPROPRIATIONS	APPROP
H 1447	CITY OF GREENVILLE—ABANDONED/JUNKED VEHICLES	S 1037	LOCAL GOV. I	PITT

SUMMARIES OF BILLS INTRODUCED TODAY

SENATE BILLS

S 1057. DEFENSE OF MARRIAGE. *TO AMEND THE CONSTITUTION TO PROVIDE THAT MARRIAGE IS THE UNION OF ONE MAN AND ONE WOMAN AT ONE TIME, AND THIS IS THE ONLY MARRIAGE THAT IS RECOGNIZED AS VALID IN THIS STATE.* Amends Art. 14 of the NC Constitution by adding a new section providing as title indicates. Also provides that the uniting of two persons of the same sex or the uniting of more than two persons of any sex in a marriage, civil union, domestic partnership, or other similar relationship within or outside of NC shall not be valid or recognized in NC. The constitution shall not be construed to require that marital status or the rights, privileges, benefits or other legal incidents of marriage be conferred upon unmarried individuals or groups. Provides for submission of the amendment to the voters at the statewide general election in November, 2004. Amendment effective January 1, 2005.

Intro. by Forrester.

Ref. to Judiciary I CONST

S 1058. UNC & COMM. COLL. TUITION/MILITARY STUDENTS. *AN ACT TO PROVIDE THAT A MEMBER OF THE MILITARY OR A DEPENDENT RELATIVE OF A MEMBER OF THE MILITARY WHO ATTENDS A CONSTITUENT UNIVERSITY OR A COMMUNITY COLLEGE SHALL BE CHARGED ONLY THE IN-STATE TUITION RATE.* Amends GS 116-143.3 as title indicates. Effective July 1, 2004.
Intro. by Rand.
Ref. to Education GS 116

S 1059. SMALL BUSINESS HEALTH INSURANCE CREDIT (=H 1375). *TO PROVIDE A TAX CREDIT FOR SMALL BUSINESSES THAT PROVIDE EMPLOYEE HEALTH INSURANCE.* Identical to H 1375, introduced 5/11/04.
Intro. by Rand.
Ref. to Finance GS 105

S 1060. TOWN OF FRANKLIN OCCUPANCY TAX. *TO AUTHORIZE THE TOWN OF FRANKLIN TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX.* Authorizes the Board of Aldermen to levy a room occupancy tax of up to 3%. Net proceeds are to be remitted to the Franklin Tourism Development Authority, which shall use at least two-thirds of the funds to promote travel and tourism in Franklin and shall use the remainder for tourism-related expenditures.
Intro. by Carpenter.
Ref. to Finance MACON

S 1061. MODIFY BILL LEE TIERS (=H 1417). *TO MODIFY THE FORMULA USED TO DETERMINE THE ENTERPRISE TIER DESIGNATION OF A COUNTY.* Identical to H 1417, introduced 5/12/04.
Intro. by Hartsell, Kerr, Albertson, Apodaca, Bingham, Dalton, Dannelly, Garrou, Jenkins, Queen, Sloan, Stevens, Weinstein.
Ref. to Finance GS 105

S 1062. EXTEND AND EXPAND JDIG (=H 1416). *TO EXTEND THE SUNSET ON THE JOB DEVELOPMENT INVESTMENT GRANT PROGRAM AND TO ALLOW THE ECONOMIC INVESTMENT COMMITTEE TO ENTER INTO MORE AGREEMENTS UNDER THE PROGRAM AND TO COMMIT MORE FUNDS.* Identical to H 1416, introduced 5/12/04.
Intro. by Hartsell, Kerr, Albertson, Apodaca, Bingham, Dalton, Dannelly, Garrou, Jenkins, Queen, Sloan, Weinstein.
Ref. to Finance GS 143B

S 1063. ELIMINATE IRB WAGE STANDARD (=H 1418). *TO ELIMINATE THE WAGE STANDARD FOR INDUSTRIAL REVENUE BONDS.* Identical to H 1418, introduced 5/12/04.
Intro. by Hartsell, Kerr, Albertson, Apodaca, Bingham, Dalton, Dannelly, Garrou, Jenkins, Queen, Sloan, Stevens, Weinstein.
Ref. to Finance GS 159C, 159D

S 1064. FINANCE PARKS AND HERITAGE. *AN ACT TO AUTHORIZE THE ISSUANCE OF SPECIAL INDEBTEDNESS FOR CAPITAL IMPROVEMENTS AND LAND ACQUISITION FOR PARKS, RECREATION, AND THE PRESERVATION OF NATURAL HERITAGE.* Amends GS 113-44.15 to permit the Parks and Recreation Authority to request that the State Treasurer issue or incur special indebtedness to finance the cost of capital projects for the State Parks System, repairs and renovations of park facilities, and land acquisition for the System. As a prerequisite to requesting the special indebtedness, requires the Authority to identify the specific park projects to be financed with this contract indebtedness and the annual amount to be made available. Also authorizes the Authority to use a portion of the System's annual appropriation to reimburse the General Fund for debt service on this special indebtedness. Makes similar changes to GS 113-77.9 to permit the Natural Heritage Trust Fund Board of Trustees to request the issuance of special indebtedness for land acquisition.
Intro. by Kerr.
Ref. to Finance GS 113

S 1065. AERIAL SURVEY DATA SALES TAX. *TO EXEMPT CERTAIN AERIAL SURVEYING PHOTOGRAPHY PRODUCTS FROM SALES AND USE TAX.* Enacts new GS 105-164.13(53) as title indicates. Applies to sales to

licensed professional land surveyors of tangible personal property on which custom aerial survey data is stored in digital form or is depicted in graphic form. Effective July 1, 2004.
Intro. by Kerr.
Ref. to Finance GS 105

S 1066. INDIAN TRAIL TOWN ATTORNEY (=H 1386). *AMENDING THE CHARTER OF THE TOWN OF INDIAN TRAIL TO REMOVE THE REQUIREMENT THAT THE TOWN ATTORNEY SHALL ATTEND ALL TOWN COUNCIL MEETINGS.* Identical to H 1386, introduced 5/12/04.
Intro. by Shubert.
Ref. to St. Government UNION

S 1067. DEATH BENEFITS/PROBATION AND PAROLE OFFICERS. *AN ACT TO CLARIFY THAT PROBATION AND PAROLE OFFICERS ARE COVERED BY THE LAW-ENFORCEMENT OFFICERS', FIREMEN'S, RESCUE SQUAD WORKERS' AND CIVIL AIR PATROL MEMBERS' DEATH BENEFITS ACT.* Amends GS 143-166.2(d) title indicates.
Intro. by Kerr.
Ref. to Appropriations GS 143

S 1068. TAX CREDIT FOR LONG-TERM INSURANCE (=H 1413). *TO REPEAL THE SUNSET ON THE LONG-TERM CARE INSURANCE TAX CREDIT.* Identical to H 1413, introduced 5/12/04.
Intro. by Purcell, Hartsell.
Ref. to Finance GS 105

S 1069. ACCESSIBLE ELECTRONIC INFO ACT/BLIND/DISAB'D. *TO ESTABLISH AN ACCESSIBLE ELECTRONIC INFORMATION SERVICE FOR BLIND AND DISABLED PERSONS AND TO APPROPRIATE FUNDS FOR THE SERVICE.* Substantially similar to Senate committee substitute for S 975 adopted 4/3/03, except deletes reference to Telecommunications Relay Service in subsection (d), deletes subsection (e), which created the Accessible Electronic Information Service Fund, and appropriates $75,000 for 2004-2005 from General Fund to DHHS, Div'n of Services for the Blind, to establish information service. Effective July 1, 2004.
Intro. by Dorsett.
Ref. to Appropriations GS 62, APPROP

S 1070. FEDERAL ENFORCEMENT BY MARINE INSPECTORS (=H 1393). *TO ALLOW MARINE FISHERIES INSPECTORS TO ACCEPT DELEGATION OF LAW ENFORCEMENT POWERS FROM THE NATIONAL MARINE FISHERIES SERVICE.* Identical to H 1393, introduced 5/12/04.
Intro. by Albertson.
Ref. to Judiciary I GS 113

S 1071. REC. SHELLFISH LICENSE/AMEND SHELLFISH LAWS (=H 1427). *TO ESTABLISH A RECREATIONAL SHELLFISH LICENSE, TO AMEND THE STATUTES GOVERNING THE CULTIVATION OF SHELLFISH, AND TO AUTHORIZE THE MARINE FISHERIES COMMISSION TO STUDY ISSUES RELATED TO THE CULTIVATION OF SHELLFISH.* Identical to H 1427, introduced 5/13/04.
Intro. by Albertson.
Ref. to Agriculture GS 113, STUDY

S 1072. OSTEOPOROSIS EDUC. FUNDS. *TO APPROPRIATE FUNDS FOR OSTEOPOROSIS EDUCATION AND AWARENESS ACTIVITIES, AS RECOMMENDED BY THE OSTEOPOROSIS EDUCATIONAL TASK FORCE.* Appropriates $150,000 for 2004-2005 from General Fund to Dep't of Health & Human Services as title indicates. Provides that it is the intent of the General Assembly that funds for osteoporosis awareness and education be included in the continuation budget. Effective July 1, 2004.
Intro. by Foxx, Purcell.
Held as Filed APPROP

S 1073. OSTEOPOROSIS EDUCATION PROGRAM. *TO ESTABLISH THE OSTEOPOROSIS PREVENTION, TREATMENT, AND DIAGNOSIS PROGRAM IN THE DEPARTMENT OF HEALTH AND HUMAN SERVICES.* Enacts new Part 6 of GS Ch. 130A, Art. 7, as title indicates, program to develop public awareness of the causes

of osteoporosis and risk factors, and to train and educate physicians and other health professionals on diagnoses and prevention of the disease. Effective Oct. 1, 2004.
Intro. by Foxx, Purcell.
Held as Filed GS 130A

S 1074. LOW-WEALTH SCHOOL SUPPLEMENTAL FUNDING. *TO APPROPRIATE SUPPLEMENTAL FUNDING FOR LOW-WEALTH SCHOOL SYSTEMS.* Appropriates $77,770,695 for 2004-2005 from General Fund to State Aid to Local School Administrative Units as title indicates. Effective July 1, 2004.
Intro. by Rand.
Ref. to Appropriations APPROP

S 1075. SMALL BUSINESS FUNDS. *TO APPROPRIATE FUNDS UNDER THE SMALL BUSINESS CONTRACTOR ACT SO AS TO INCREASE PARTICIPATION BY SMALL BUSINESSES.* Appropriates $10 million for 2004-2005 from General Fund to Dep't of Commerce, Small Business Contractor Authority, $6 million to be allocated to the Small Business Surety Bond Fund and $4 million to the Small Business Contract Financing Fund. Effective July 1, 2004.
Intro. by Rand.
Ref. to Appropriations APPROP

S 1076. STATE HIGHWAY PATROL AUTHORITY. *TO CLARIFY THE AUTHORITY OF THE STATE HIGHWAY PATROL TO OPERATE WEIGH STATIONS; TO AUTHORIZE NONSWORN PERSONNEL OF THE DIVISION OF STATE HIGHWAY PATROL TO OPERATE WEIGH STATIONS; TO MAKE CONFORMING, TECHNICAL CHANGES TO THE LAW GOVERNING WEIGH STATIONS; AND TO APPROPRIATE FUNDS.* As title indicates. Appropriates $5,000 for 2004-2005 from General Fund to Dep't of Crime Control & Public Safety, Division of State Highway Patrol. Effective July 1, 2004.
Intro. by Rand.
Ref. to Judiciary I GS 20, APPROP

S 1077. INCREASE PENALTY—TRANSIT OPERATOR ASSAULT (=H 1373). *TO INCREASE THE CLASSIFICATION OF ASSAULTING A PUBLIC TRANSPORTATION OPERATOR FROM A CLASS 2 MISDEMEANOR TO A CLASS A1 MISDEMEANOR.* Identical to H 1373, introduced 5/11/04.
Intro. by Jenkins.
Held as Filed GS 14

S 1078. VEHICLE CONTROL SIGNS AND SIGNALS (=H 1379). *TO AMEND THE VEHICLE CONTROL SIGN AND SIGNAL LAW.* Identical to H 1379, introduced 5/11/04.
Intro. by Jenkins.
Ref. to Judiciary I GS 20, 160A

S 1079. DOT RETIRED ENGINEERS (=H 1371). *TO REMOVE THE CAP ON EARNINGS BY RETIRED DEPARTMENT OF TRANSPORTATION ENGINEERS AND ENGINEERING TECHNICIANS.* Identical to H 1371, introduced 5/11/04.
Intro. by Jenkins.
Ref. to St. Gov. GS 135

S 1080. HIGHWAY TRUST FUND CHANGES (=H 1344). *TO AMEND THE HIGHWAY TRUST FUND TO DEFINE THE INTRASTATE HIGHWAY SYSTEM OF THE STATE AND TO MAKE THE INTRASTATE SYSTEM ELIGIBLE FOR HIGHWAY TRUST FUND FUNDS.* Identical to H 1344, introduced 5/10/04.
Intro. by Jenkins.
Ref. to St. Gov. GS 136

S 1081. WORKERS' COMP./TRUCKING (=H 1370). *TO AMEND THE APPLICATION OF THE WORKERS' COMPENSATION LAW TO CERTAIN MOTOR CARRIERS.* Identical to H 1370, introduced 5/11/04.
Intro. by Jenkins.
Ref. to Commerce GS 97

S 1082. DOT MINORITY/WOMEN BUSINESSES PROGRAM (=H 1359). *TO REAFFIRM AND CLARIFY STATE POLICY CONCERNING PARTICIPATION BY DISADVANTAGED MINORITY AND WOMEN BUSINESSES IN HIGHWAY CONSTRUCTION.* Identical to H 1359, introduced 5/11/04.
Intro. by Jenkins.
Ref. to Judiciary I GS 136

S 1083. STAGGERED ISSUANCE—COMMERCIAL/DEALER PLATES (=H 1383). *TO PROVIDE FOR STAGGERED ISSUANCE OF COMMERCIAL LICENSE PLATES, DEALER LICENSE PLATES, AND MOTOR VEHICLE DEALERS AND MANUFACTURERS LICENSES.* Identical to H 1383, introduced 5/11/04.
Intro. by Jenkins.
Ref. to Judiciary I GS 20

S 1084. PUBLIC CONSTRUCTION SURETY BONDS (=H 1424). *TO AMEND THE PUBLIC CONSTRUCTION CONTRACT SURETY BOND STATUTE.* Identical to H 1424, introduced 5/13/04.
Intro. by Jenkins.
Ref. to Finance GS 58

S 1085. DOT TECHNICAL CORRECTION (=H 1345). *TO MAKE A TECHNICAL CORRECTION TO THE HIGHWAY TRUST FUND STATUTES.* Identical to H 1345, introduced 5/10/04.
Intro. by Jenkins.
Ref. to St. Gov. GS 136

S 1086. PUBLIC TRANSIT DECELERATION LAMPS (=H 1372). *TO AUTHORIZE REAR HIGH MOUNTED FLASHING DECELERATION LAMPS ON PUBLIC TRANSIT VEHICLES.* Identical to H 1372, introduced 5/11/04.
Intro. by Jenkins.
Ref. to Judiciary I GS 20

S 1087. INTEREST ON HIGHWAY CONDEMNATION AWARDS (=H 1346). *TO MODIFY THE RATE OF INTEREST ALLOWED ON HIGHWAY CONDEMNATION AWARDS.* Identical to H 1346, introduced 5/10/04.
Intro. by Jenkins.
Ref. to Judiciary I GS 136

S 1088. MOPED ID TAGS (=H 1343). *TO REQUIRE MOPED IDENTIFICATION TAGS.* Identical to H 1343, introduced 5/10/04.
Intro. by Jenkins.
Ref. to Judiciary I GS 20

S 1089. DOT AUTHORITY TO RECEIVE FUNDS FROM LOCAL GOV. (=H 1382). *TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO RECEIVE FUNDS FROM LOCAL GOVERNMENTS TO ADVANCE THE CONSTRUCTION SCHEDULE OF TIP PROJECTS.* Identical to H 1382, introduced 5/11/04.
Intro. by Jenkins.
Ref. to Judiciary I GS 136

S 1090. HOV LANES—EMERGENCY VEHICLES (=H 1360). *TO EXEMPT MOVEMENT AROUND EMERGENCY VEHICLES FROM HOV LANE RESTRICTIONS.* Identical to H 1360, introduced 5/11/04.
Intro. by Jenkins.
Ref. to Judiciary I GS 20

S 1091. TRANSIT DRUG TEST. *TO REQUIRE THE PUBLIC TRANSIT OPERATORS AND OTHER EMPLOYERS TO REPORT TO THE DIVISION OF MOTOR VEHICLES THE NAME OF THE EMPLOYEE AND THE RESULTS OF ANY FEDERALLY REQUIRED AND TRANSPORTATION RELATED FAILED DRUG AND ALCOHOL TEST, AND TO REQUIRE THE DIVISION TO PROVIDE THE INFORMATION IT COLLECTS TO OTHER EMPLOYERS REQUIRED BY FEDERAL LAW TO TEST TRANSPORTATION RELATED EMPLOYEES.* Enacts new GS 20-37.03 which requires that the employer of any employee who fails a drug or alcohol test required by the Federal Transit Administration or Federal Highway Administration report the results of that test to the Div'n of Motor Vehicles, but requires employee's written consent to the disclosure of employee's name and

test results prior to the test. Further requires that DMV provide this information to any employer subject to the above federal testing requirements. Effective Jan. 1, 2005.
Intro. by Jenkins.
Ref. to Judiciary I GS 20

S 1092. VA–NC INTERSTATE HIGH-SPEED RAIL COMPACT (=H 1381). *TO ESTABLISH THE VIRGINIA–NORTH CAROLINA INTERSTATE HIGH-SPEED RAIL COMPACT.* Identical to H 1381, introduced 5/11/04.
Intro. by Jenkins.
Ref. to St. Gov. GS 136

S 1093. EDGECOMBE TAX CERTIFICATION. *TO ADD EDGECOMBE COUNTY TO THOSE COUNTIES AUTHORIZED TO USE A TAX CERTIFICATION PROCESS TO ASSIST IN THE COLLECTION OF DELINQUENT PROPERTY TAXES.* Amends GS 161-31(b) as title indicates.
Intro. by Jenkins.
Ref. to Finance EDGECOMBE

S 1094. ELECTRONIC FILING/REGISTER OF DEEDS. *TO AUTHORIZE THE REGISTER OF DEEDS IN CERTAIN COUNTIES TO ACCEPT ELECTRONIC RECORDS FOR FILING.* As title indicates, amends GS 47-30(b) to permit electronic recording of plats, and enacts new GS 161-14(b1) to permit electronic recording of other instruments.
Intro. by Berger, Purcell, Queen, Sloan, Kinnaird, Soles, Foxx, Stevens.
Ref. to Judiciary I ANSON, CUMBERLAND, GUILFORD, HYDE, IREDELL, MCDOWELL, ORANGE, PENDER, ROCKINGHAM, WAKE, WATAUGA

HOUSE BILLS

H 1421. FUNDS FOR PACE PILOT--DHHS. *TO APPROPRIATE FUNDS TO THE DEP'T OF HEALTH AND HUMAN SERVICES, DIVISION OF MEDICAL ASSISTANCE TO DEVELOP A PILOT PROGRAM TO IMPLEMENT THE PROGRAM FOR ALL-INCLUSIVE CARE FOR THE ELDERLY (PACE) IN THE SOUTHEAST AND WESTERN AREAS OF THE STATE.* Appropriates $123,156 for 2004-2005 from General Fund to Dep't of Health & Human Services as title indicates. Effective July 1, 2004.
Intro. by Wright.
Ref. to Appropriations APPROP

H 1422. MINT HILL - POLICE ALL-TERRAIN VEHICLES. *TO PERMIT LAW ENFORCEMENT OFFICERS IN MINT HILL TO OPERATE UNREGISTERED ALL-TERRAIN VEHICLES ON HIGHWAYS.* Adds new GS 20-114.2 as title indicates.
Intro. by Gulley.
Ref. to Transportation Mecklenburg

H 1423. APPRENTICESHIP TAX CREDIT. *TO PROVIDE A TAX CREDIT FOR EMPLOYERS WHO PARTICIPATE IN AN APPRENTICESHIP PROGRAM APPROVED BY THE DEPARTMENT OF LABOR.* Amends Ch. 105 by adding a new section allowing eligible employers a credit of 15% of the wages paid to registered apprentices during the taxable year. Defines applicable terms and includes provisions on allocation and documentation. Effective for taxable years beginning on or after January 1, 2005. The fact that an apprenticeship was approved before January 1, 2005, does not render it ineligible for credit.
Intro. by Howard Sherrill.
Ref. to Finance GS 105

H 1424. PUBLIC CONSTRUCTION SURETY BONDS. *TO AMEND THE PUBLIC CONSTRUCTION CONTRACT SURETY BOND STATUTE .* Deletes GS 58-31-66(b), which provides that sec. does not prohibit state or local governments from approving the form, sufficiency, or manner of surety bond provided by bidder's surety or from disapproving the surety because of its financial condition. Further deletes GS 58-31-66(c), which provides that a violation of GS 58-31-66 renders the contract void ab initio. Effective July 1, 2004.
Intro. by Coates.
Ref. to Insurance GS 58

H 1425. MORGANTON/BURKE/BROUGHTON MUTUAL AID. *TO ALLOW THE BROUGHTON POLICE DEP'T TO ENTER INTO MUTUAL AID AGREEMENTS WITH THE CITY OF MORGANTON POLICE DEP'T AND THE BURKE COUNTY SHERIFF'S OFFICE.* As title indicates.
Intro. by Church.
Ref. to Local Gov. II BURKE

H 1426. GREENVILLE PARKING DECK PROJECTS. *TO EXEMPT FROM THE PUBLIC BIDDING LAWS THE CITY OF GREENVILLE IN THE CONSTRUCTION OF PARKING STRUCTURE PROJECTS IN ITS CENTRAL BUSINESS DISTRICT.* As title indicates.
Intro. by McLawhorn.
Ref. to Local Gov. I PITT

H 1427. REC. SHELLFISH LICENSE/AMEND SHELLFISH LAWS. *TO ESTABLISH A RECREATIONAL SHELLFISH LICENSE, TO AMEND THE STATUTES GOVERNING THE CULTIVATION OF SHELLFISH, AND TO AUTHORIZE THE MARINE FISHERIES COMMISSION TO STUDY ISSUES RELATED TO THE CULTIVATION OF SHELLFISH.* Deletes GS 113-169.2(i), which authorizes the taking of shellfish for personal use in specified quantities, and replaces it with new GS 113-174, requiring a recreational shellfish license (RSL) to take shellfish for personal use, effective July 1, 2005, and expiring July 1, 2008. New GS 113-174 further prohibits the sale of fish by holders of the RSL, sets a fee of $10 for license, and exempts persons under 16 years of age from license requirements when accompanied by parent, grandparent, or guardian with RSL license.

Enacts new GS 113-201(c), requiring that Marine Fisheries Comm'n establish training requirements for those applying for new shellfish cultivation leases and enacts new GS 113-202(l)(8), requiring the initiation of an action to terminate leases for failure to comply with training requirements. Amends GS 113-202(d) by adding subsection (d)(1) and increasing application fees for new shellfish cultivation leases to $200 (was, $100). Amends GS 113-202(j) to change lease expirations to July (was, April) after fifth anniversary (was, 10th) of the granting of the lease and to increase rental charge to $10 per acre (was, $5) for leases entered into after July 1, 1965. Amends GS 113-202(l) by adding subsection (ll) and providing that lessees may avoid termination of cultivation leases if they cannot comply with subsection (l) (was, subsection (l)(5) only) due to reasons beyond leasees' control. Amends GS 113-202.1(d) to reduce the fee for renewal of water column rentals beginning with fifth year from $500 to $100 per acre. All fee changes effective July 1, 2004.

Authorizes the Comm'n to study the feasibility of establishing a cultivation leasing process which would avoid leaseholds reverting to public bottom and to study issues concerning the corporate ownership of shellfish cultivation leases and report findings to Jt. Legis. Comm'n on Seafood and Aquaculture by Dec. 1, 2004. Makes technical changes.
Intro. by Wainwright.
Ref. to Finance GS 113, STUDY

H 1428. EST. MARINE FISHERIES VIOLATION POINTS SYSTEM. *TO ESTABLISH A VIOLATIONS POINTS SYSTEM FOR THE SUSPENSION, REVOCATION, AND REISSUANCE OF MARINE FISHING LICENSES.* Repeals G.S. 113-171. Enacts new G.S. 113-171.2 as title indicates. Provides that the Fisheries Director shall assess the following points for convictions of fisheries offenses: Felony - 36; Class A1 misdemeanor - 12; Class 1 misdemeanor - 10; Class 2 misdemeanor - 6; Class 3 misdemeanor - 3. Provides the following general revocation and suspension schedule, to which some exceptions apply: 18-25 points within a 3-year period shall result in a 30-day suspension; 26-35 points within a 3-year period shall result in a 6-month suspension; and 36 or more points within a 3-year period shall result in a minimum 1-year revocation but the Fisheries Director may, in his or her discretion, revoke all of the licenses of a licensee for a period of time greater than one year or may permanently revoke all such licenses. Also provides that certain habitual offenders will have all of their licenses revoked for two years. Other habitual offenders are subject to a mandatory permanent revocation. Makes conforming changes. Effective December 1, 2004, and applies to offenses committed on or after that date. Suspensions and revocations for offenses committed before the effective date are not abated or affected and the statutes that would be applicable but for the act remain applicable to those suspensions and revocations.
Intro. by Wainwright.
Ref. to Environment & Natural Resources GS 113

H 1429. AMEND FISHERY MANAGEMENT PLAN REQUIREMENTS. *TO REQUIRE FISHERY MANAGEMENT PLANS TO ACHIEVE SUSTAINABLE HARVEST RATHER THAN OPTIMAL YIELD AND TO SPECIFY A TIME PERIOD FOR ENDING OVERFISHING AND REBUILDING THE FISHERY.* Repeals GS 113-129(12a). Amends

GS 113-129(12b), redefining the terms "overfishing" and "overfish" to relate them to sustainable harvest instead of maximum sustainable yield. Enacts a new GS 113-129(14a), defining sustainable harvest. Amends GS 113-182.1(b) to provide that plan must include measures that prevent overfishing while achieving sustainable harvest. Adds a new subsection providing that for an overfished fishery, the plan shall specify a time period, not to exceed 10 years from its adoption, for ending overfishing and rebuilding the fishery, unless rebuilding within 10 years is impracticable. Amends GS 113-183.1(g) to change references to "optimal yield" to "sustainable harvest."
Intro. by Wainwright.
Ref. to Environment & Natural Resources GS 113

H 1430. IRC UPDATE. *AN ACT TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE USED IN DEFINING AND DETERMINING CERTAIN STATE TAX PROVISIONS.* Makes technical changes as title indicates.
Intro. by Miner, Luebke, G. Allen, Brubaker, Hill, McGee, Wainwright Wood.
Ref. to Finance GS 105

H 1431. RESIDENTIAL CARE AND SAFETY. *AN ACT TO ESTABLISH THE JOINT LEGISLATIVE STUDY COMMISSION ON THE CARE AND SAFETY OF RESIDENTS OF RESIDENTIAL CARE FACILITIES.* Establishes study comm'n as title indicates. Provides that the comm'n's twenty-one members include two members of the House of Representatives, two members of the Senate, the Sec'y of Health and Human Services or her designee, and 16 members representing providers and consumers of residential care services and family members of residents of residential care facilities. Further provides that the Speaker and President Pro Tem shall each appoint 10 of the members. Requires the Comm'n to provide an interim report to the 2005 General Assembly when it convenes and a final report to the 2005 General Assembly, 2006 Regular Session. Allocates $50,000 for implementation from funds appropriated to the Legislative Services Office.
Intro. by Farmer-Butterfield.
Ref. to Rules STUDY, APPROP

H 1432. FILM INDUSTRY DEVELOPMENT ACCOUNT. *TO MODIFY THE FILM INDUSTRY DEVELOPMENT ACCOUNT AND TO APPROPRIATE FIVE MILLION DOLLARS TO THAT ACCOUNT.* Amends G.S. 143B-434.4(b), adding a provision stating that a grant may not be made unless there is a local government match of the funds allocated by the state and specifying that a local match may include cash, fee waivers, in-kind services, the donation of assets, the provision of infrastructure, or a combination of these. Appropriates $5,000,000 for the 2004-05 fiscal year from the General fund to the Dep't of Commerce for the Film Industry Development Account. Effective July 1, 2004.
Intro. by Daughtridge, Wainwright, G. Allen, Dickson, Harrell, L. Johnson, LaRoque, McComas, Tolson, Walker.
Ref. to Appropriations GS 143B, APPROP

H 1433. WAKE CTY HISTORIC PRESERVATION COMM. *AN ACT PROVIDING THAT MEMBERS OF THE WAKE COUNTY HISTORIC PRESERVATION COMMISSION MAY RESIDE WITHIN THE CORPORATE BOUNDARIES OR EXTRATERRITORIAL JURISDICTION OF A MUNICIPALITY WITHIN THE COUNTY.* As title indicates.
Intro. by Ross.
Ref. to Local Gov. I WAKE

H 1434. WAKE COUNTY FAMILY COURT FUNDS. *TO APPROPRIATE FUNDS TO ESTABLISH A FAMILY COURT PILOT PROGRAM IN DISTRICT COURT DISTRICT 10.* Appropriates $361,163 for 2004-2005 from General Fund to Judicial Dep't as title indicates. Effective July 1, 2004.
Intro. by Ross, Stam, Weiss, Eddins.
Ref. to Appropriations APPROP

H 1435. MEMORIALIZING JAMES WESLEY "WILLIE" YORK. *HONORING THE LIFE AND MEMORY OF JAMES WESLEY "WILLIE" YORK, PROMINENT CIVIC LEADER, VISIONARY BUILDER, AND ENTREPRENEUR.* As title indicates.
Intro. by Ross.
Ref. to Rules JOINT RES

H 1436. SMALL BUSINESS HEALTH INSURANCE CREDIT (=S 1059). *TO PROVIDE A TAX CREDIT FOR SMALL BUSINESSES THAT PROVIDE EMPLOYEE HEALTH INSURANCE.* Identical to S 1059, introduced 5/13/04.
Intro. by Goodwin.
Ref. to Finance GS 105

H 1437. CREDIT FOR HIRING APPRENTICES. *TO PROVIDE A TAX CREDIT FOR EMPLOYERS WHO PARTICIPATE IN AN APPRENTICESHIP PROGRAM APPROVED BY THE DEP'T OF LABOR.* Enacts new GS 105-129.16D, providing that an eligible taxpayer is allowed a credit based on the number of registered apprentices it employs during the taxable year and defining a registered apprentice. The credit applies as follows: 1-3 apprentices: $10,000 credit; 4-10 apprentices: $25,000 credit; 11 or more apprentices: $50,000. Includes provisions on taxpayer eligibility, allocation, and documentation. Provides that the new provision sunsets effective for taxable years beginning on or after January 1, 2009. Makes technical changes. Effective for taxable years beginning on or after January 1, 2005. The fact that an apprenticeship was approved before January 1, 2005, does not render it ineligible for the credit provided in the act.
Intro. by Goodwin.
Ref. to Finance GS 105

H 1438. CHILDREN'S TRUST FUND/DPI TO DHHS. *AN ACT TO TRANSFER THE CHILDREN'S TRUST FUND AND RESPONSIBILITY FOR AWARDING GRANTS FOR CHILD ABUSE AND NEGLECT PREVENTION PROGRAMS FROM THE DEPARTMENT OF PUBLIC INSTRUCTION TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, AS RECOMMENDED BY THE HOUSE INTERIM COMMITTEE ON CHILD ABUSE AND NEGLECT, FOSTER CARE, AND ADOPTION.* As title indicates. Effective July 1, 2004.
Intro. by Moore, Weiss.
Ref. to St. Government GS 7B

H 1439. URGING CONGRESS TO CONSIDER AMENDMENT TO PERMIT CHILD PROTECTIVE SERVICES WORKERS TO OBTAIN FEDERAL CRIMINAL HISTORIES WHEN INVESTIGATING CHILD ABUSE AND NEGLECT. *TO URGE CONGRESS TO CONSIDER AMENDING FEDERAL LAW TO PERMIT CHILD PROTECTIVE SERVICES WORKERS TO OBTAIN FEDERAL CRIMINAL HISTORIES WHEN INVESTIGATING ALLEGATIONS OF CHILD ABUSE AND NEGLECT.* As title indicates.
Intro. by Moore, Weiss.
Ref. to Rules HOUSE RES

H 1440. CHILD PROTECTIVE SERVICES SPECIAL PROVISIONS. *TO RECOMMEND FURTHER CONSIDERATION AND STUDY OF ISSUES RELATING TO THE PROVISION OF CHILD PROTECTIVE SERVICES AS RECOMMENDED BY THE HOUSE INTERIM COMMITTEE ON CHILD ABUSE AND NEGLECT, FOSTER CARE, AND ADOPTION.* As title indicates, recommends the study of the expansion of the budget request made by the Dep't of Health and Human Services relating to various child welfare systems and programs; the training of law enforcement and child protective services personnel concerning their role in child protective services investigations; and restricting the use of the TANF Block grant to the creation of new direct child protective services. Further directs the DHHS Div'n of Social Services to review reporting and data collection practices concerning child welfare and requires that DHHS review other states' reporting practices and report its findings on or before the commencement of the 2005 Regular Session of the General Assembly. Requires that the Administrative Office of the Courts, in consultation with the Office of Indigent Defense Services, contract with an independent research entity to study court appointed attorney compensation and authorizes those offices to expend up to $50,000 from available funds for this purpose. Requires that NC Court Improvement Project report its findings to the Appropriations and House Children, Youth and Families Committees on or before June 1, 2004.
Intro. by Weiss, Moore.
Ref. to Appropriations STUDY

H 1441. CHILD WELFARE APPROPRIATION MATTERS. *AN ACT TO APPROPRIATE FUNDS FOR THE PURPOSE OF CHILD PROTECTIVE SERVICES AND CHILD ABUSE PREVENTION.* Appropriates $64,429 and $1,400,000 for 2004-2005 from General Fund to Dep't of Health & Human Services to fund Child Fatality Task Force employee positions that were cut in 2003 and increase the reimbursement rate of guardian ad litem attorney advocates, respectively. Effective July 1, 2004.
Intro. by Weiss, Moore.
Ref. to Appropriations APPROP

H 1442. REDUCE CORPORATE INCOME TAXES. *TO REDUCE CORPORATE INCOME TAXES.* For the stated purpose of encouraging the growth and development of small businesses, amends GS 105-130.3 to provide that the corporate tax rate is 6.9% of the taxpayer's state net income. Effective for taxable years beginning on or after Jan. 1, 2004.
Intro. by LaRoque, Church, Allred, Daughtridge, Decker, Jones, Warner, C. Wilson.
Ref. to Finance GS 105

H 1443. COMMERCE SERVICE CENTER. *TO ESTABLISH A BUSINESS SERVICE CENTER IN THE DEP'T OF COMMERCE.* Enacts a new Part 20 in Art. 10, GS Ch. 143B, entitled Business Service Center. Establishes a Business Service Center within the Dep't of Commerce to serve as a clearinghouse for state business information, with specified duties and responsibilities. Requires the Center to adopt necessary rules and forms. Provides for the confidentiality of requests for assistance from the Center. Provides that the Secretary may report to the Joint Legislative Comm'n on Governmental Operations on proposals or revisions to improve state government communications and relations with the public. Amends GS 147-54.17, creating certain obligations of the business coordinators to the Center and making technical and conforming changes.
Intro. by LaRoque, Church, Allred, Bordsen, Daughtridge, Decker, Jones, Warner, C. Wilson.
Ref. to Commerce GS 143B,147

H 1444. JDIG-ENCOURAGE USE OF NC SMALL BUSINESSES. *AN ACT REQUIRING JOB DEVELOPMENT INVESTMENT GRANT (JDIG) PROGRAM AGREEMENTS TO CONTAIN A PROVISION ENCOURAGING THE USE OF SMALL BUSINESSES HEADQUARTERED IN NORTH CAROLINA.* Amends GS 143B-437.57(a) as title indicates. Applies to agreements entered into after the bill becomes law.
Intro. by LaRoque, Church, Allred, Bordsen, Daughtridge, Decker, Jones, Warner, C. Wilson.
Ref. to Commerce GS 143B

H 1445. CORPORATE INCOME TAX EXEMPTION. *TO PROVIDE A CORPORATE INCOME TAX EXEMPTION.* Amends GS 105-130.3, providing for two different exemptions that apply in different taxable years. In both cases, a C Corporation may subtract from state net income the applicable exemption amount before computing the corporate tax. Effective for taxable years beginning on or after Jan. 1, 2004, the exemption is $10,000 for corporations that are not required to apportion income to NC. For corporations that are required to apportion income, the exemption amount is the product of the apportionment fraction multiplied by $10,000. Effective for taxable years beginning on or after Jan. 1, 2005, the exemption for corporations not required to apportion income to NC is $20,000; for corporations required to apportion, it is the apportionment fraction multiplied by $20,000. Amends table in GS 115C-546.1 as follows: for the period 10/1/00 – 9/30/04, the applicable fraction is 5/69ths; for the period 10/1/04 – 9/30/05, the applicable percentage is 7.36%; for the period after 9/30/05, the applicable percentage is 7.44%.
Intro. by Daughtridge, LaRoque.
Ref. to Finance GS 105

H 1446. ECON. INFRASTRUCTURE PROGRAM AT RURAL CENTER. *TO APPROPRIATE FIFTEEN MILLION DOLLARS TO THE RURAL ECONOMIC DEVELOPMENT CENTER TO BE USED TO CREATE A NORTH CAROLINA ECONOMIC INFRASTRUCTURE PROGRAM.* Appropriates $15,000,000 for 2004-2005 from General Fund to Rural Economic Development Center to establish and implement the North Carolina Economic Infrastructure Program, which shall consist of four specified areas of investment. These are (1) grants to local governments for water and sewer facilities; (2) loan program for small businesses; (3) matching grants to local governments in distressed areas for reuse of vacant buildings; (4) promotion of diversification of small farm businesses. Provides that the Center may contract with other state agencies and constituent institutions of the University of North Carolina and may use up to 5% of funds appropriated to cover expenses in administering the North Carolina Economic Infrastructure Program. Provides for reporting by the Center. Effective July 1, 2004.
Intro. by Daughtridge, Wainwright, G. Allen, Dickson, Harrell, L. Johnson, LaRoque, Luebke, McComas, Owens, Tolson Walker.
Ref. to Appropriations APPROP

H 1447. CITY OF GREENVILLE—ABANDONED/JUNKED VEHICLES (=S 1037). *AFFECTING THE REGULATION OF ABANDONED OR JUNKED MOTOR VEHICLES IN THE CITY OF GREENVILLE.* Identical to S 1037, introduced 5/11/04.
Intro. by Warren.
Ref. to Local Gov I PITT

CALENDAR ACTION
May 13, 2004

NOTES
1. Amendments and committee substitutes adopted today are summarized in the following section of today's Daily Bulletin.
2. The dates on which previous amendments or committee substitutes were adopted are listed below bill numbers.
3. The action "Cal Pursuant Rule 36b" indicates that the bill has been reported by committee and is awaiting calendaring by the Rules Committee.
4. Enacted bills are indicated by #, failed bills by *.

PUBLIC BILLS

H1343	MOPED ID TAGS.	H	RE-REF COM ON FINANCE
H1344	HIGHWAY TRUST FUND CHANGES.	H	RE-REF COM ON TRANSPORTATION
H1345	DOT TECHNICAL CORRECTION.	H	RE-REF COM ON TRANSPORTATION
H1346	INTEREST ON HIGHWAY CONDEMNATION AWARDS.	H	RE-REF COM ON TRANSPORTATION
H1347	PENDER COURT PERSONNEL FUNDS.	H	RE-REF COM ON APPROPRIATIONS
H1352	EMERGENCY FUNDING FOR ONE NC & NEIT.	H	RE-REF COM ON APPROPRIATIONS
H1353	CARDIOVASCULAR DISEASES INSTITUTE.	H	RE-REF COM ON APPROPRIATIONS
H1355	IMPROVE ECONOMIC DEVELOPMENT PROGRAMS.	H	RE-REF COM ON FINANCE
H1356	INCREASE FEES/QUALIFS. FOR DWI ASSESSMENTS.	H	RE-REF COM ON FINANCE
H1357	FIRE AND RESCUE PENSION INCREASE.	H	RE-REF COM ON APPROPRIATIONS
H1358	RETIRED HIGHWAY PATROL SPOUSES SPECIAL PLATE.	H	RE-REF COM ON FINANCE
H1359	DOT MINORITY/WOMEN BUSINESSES PROGRAM.	H	RE-REF COM ON TRANSPORTATION
H1360	HOV LANES - EMERGENCY VEHICLES.	H	RE-REF COM ON TRANSPORTATION
H1361	SMALL SCHOOL SYSTEM SUPPLEMENTAL FUNDING.	H	RE-REF COM ON APPROPRIATIONS
H1362	SOUTHERN APPALACHIAN SCIENCE & TECH FUNDS.	H	RE-REF COM ON APPROPRIATIONS
H1366	INVOLUNTARY COMMITMENT WARRANT CLARIFICATION.	H	RE-REF COM ON JUDICIARY I
H1368	FUNDS FOR COST-EFFICIENT HEALTH CARE.	H	RE-REF COM ON APPROPRIATIONS
H1371	DOT RETIRED ENGINEERS.	H	RE-REF COM ON PENSIONS AND RETIREMENT
H1372	PUBLIC TRANSIT DECELERATION LAMPS.	H	RE-REF COM ON TRANSPORTATION
H1373	INCREASE PENALTY-TRANSIT OPERATOR ASSAULT.	H	RE-REF COM ON JUDICIARY III
H1375	SMALL BUSINESS HEALTH INSURANCE CREDIT.	H	RE-REF COM ON FINANCE
H1376	FUNDS FOR AUTISM SOCIETY.	H	RE-REF COM ON APPROPRIATIONS
H1377	FUNDS FOR AUTISM SUPPORTED EMPLOYMENT.	H	RE-REF COM ON APPROPRIATIONS
H1379	VEHICLE CONTROL SIGNS AND SIGNALS.	H	RE-REF COM ON TRANSPORTATION
H1380	OTP EXCISE TAX REFUND.	H	RE-REF COM ON FINANCE
H1381	VA-NC INTERSTATE HIGH-SPEED RAIL COMPACT.	H	RE-REF COM ON TRANSPORTATION
H1382	DOT AUTHORITY TO RECEIVE FUNDS FROM LOCAL GOV.	H	RE-REF COM ON TRANSPORTATION
H1383	STAGGERED ISSUANCE-COMMERCIAL/DEALER PLATES.	H	RE-REF COM ON TRANSPORTATION
H1384	STATE EMPLOYEES/TEACHERS PAY INCREASES.	H	RE-REF COM ON APPROPRIATIONS
H1387	EXPAND THE TEACHING FELLOWS PROGRAM.	H	RE-REF COM ON APPROPRIATIONS

H1388	APPROPRIATE FUNDS FOR ABC BONUSES.	H	RE-REF COM ON APPROPRIATIONS
H1389	DOT AUTHORITY TO ISSUE GARVEE BONDS.	H	RE-REF COM ON FINANCE
H1390	2004 APPROPRIATIONS ACT - 2.	H	RE-REF COM ON APPROPRIATIONS
H1392	TANF BLOCK GRANT FUNDS/BOYS & GIRLS CLUB.	H	RE-REF COM ON APPROPRIATIONS
H1393	FEDERAL ENFORCEMENT BY MARINE INSPECTORS.	H	RE-REF COM ON ENVIRONMENT AND NATURAL RESOURCES
H1394	8-YEAR DRIVERS LICENSE/INTERNET DL RENEWAL.	H	RE-REF COM ON TRANSPORTATION
H1396	SENIOR CENTER FUNDS.	H	RE-REF COM ON APPROPRIATIONS
H1398	I-40 US VETERANS MEMORIAL HIGHWAY.	H	RE-REF COM ON TRANSPORTATION
H1399	DOT DRIVEWAY CONNECTION CHANGES.	H	RE-REF COM ON TRANSPORTATION
H1400	ONE NC FUND APPROPRIATIONS/CODIFICATION.	H	RE-REF COM ON APPROPRIATIONS
H1402	2004 APPROPRIATIONS ACT - 4.	H	RE-REF COM ON APPROPRIATIONS
H1403	2004 APPROPRIATIONS ACT - 3.	H	RE-REF COM ON APPROPRIATIONS
H1404	COMM. COLLEGE FACULTY/PROF. STAFF SALARIES.	H	RE-REF COM ON APPROPRIATIONS
H1405	INVESTIGATORIAL ASSISTANT FUNDS/ DISTRICT 16A.	H	RE-REF COM ON APPROPRIATIONS
H1407	CAROLINA CHILDREN COMM. DISORDERS PROG. FUNDS.	H	RE-REF COM ON APPROPRIATIONS
H1408	HCCBG FUNDS.	H	RE-REF COM ON APPROPRIATIONS
H1411	HATTERAS VILLAGE/TEMP. UNVEGETATED BEACH AREA.	SA	REPTD FAV COM SUBSTITUTE
		S	PLACED ON CAL FOR 5/13/2004
		S	PASSED 2ND & 3RD READING
		H	REC TO CONCUR S COM SUB
		H	CAL PURSUANT RULE 36(B)
05-12-04, 05-13-04			
H1413	TAX CREDIT FOR LONG-TERM CARE INSURANCE.	H	RE-REF COM ON APPROPRIATIONS
H1414	2004 APPROPRIATIONS ACT - 1.	H	RE-REF COM ON APPROPRIATIONS
H1415	ALTERNATIVE R&D TAX CREDIT.	H	RE-REF COM ON FINANCE
H1416	EXTEND AND EXPAND JDIG.	H	RE-REF COM ON FINANCE
H1417	MODIFY BILL LEE TIERS.	H	RE-REF COM ON FINANCE
H1418	ELIMINATE IRB WAGE STANDARD.	H	RE-REF COM ON FINANCE
H1420	REGIONAL AGENCY DEBT SETOFF.	H	RE-REF COM ON LOCAL GOVERNMENT II
S0623	IT GAP ANALYSIS "HACK ATTACK."	HA	REPTD FAV COM SUBSTITUTE
		H	CAL PURSUANT RULE 36(B)
04-24-03, 05-13-04			
S1072	OSTEOPOROSIS EDUC. FUNDS.	S	HELD AS FILED
S1073	OSTEOPOROSIS EDUCATION PROGRAM.	S	HELD AS FILED
S1077	INCREASE PENALTY-TRANSIT OPERATOR ASSAULT.	S	HELD AS FILED

LOCAL BILLS

H1348	CAMDEN COUNTY OCCUPANCY TAX.	H	RE-REF COM ON FINANCE
H1349	COLUMBUS FOX HUNTING/TRAPPING.	H	RE-REF COM ON WILDLIFE RESOURCES
H1350	CHADBOURN MAYOR'S TERM.	H	RE-REF COM ON LOCAL GOVERNMENT II
H1363	LAKE TOXAWAY MOTOR VEHICLE REGULATION.	H	RE-REF COM ON LOCAL GOVERNMENT II
H1364	TRANSYLVANIA LAND ACQUISITION/ CONVEYANCE.	H	RE-REF COM ON LOCAL GOVERNMENT II
H1369	EMERALD ISLE ANNEXATION.	H	RE-REF COM ON FINANCE

H1378 EDGECOMBE/WILSON DEEDS.	H	RE-REF COM ON LOCAL GOVERNMENT II
H1385 WASHINGTON/CRESWELL SATELLITE ANNEXATIONS.	H	RE-REF COM ON FINANCE
H1386 INDIAN TRAIL TOWN ATTORNEY.	H	RE-REF COM ON LOCAL GOVERNMENT I
H1401 WILKES VISITOR CENTER.	H	RE-REF COM ON LOCAL GOVERNMENT I
H1410 SUNSET BEACH IN STATE HEALTH PLAN.	H	RE-REF COM ON LOCAL GOVERNMENT II
	H	RE-REF COM ON FINANCE

SUMMARIES OF AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

S 623. DOWNTOWN ADULT RESIDENTIAL FACILITY (NEW). Intro. 4/1/03. House committee substitute makes the following changes to 2nd edition. Replaces existing bill with a completely new bill. SL 1997-443, sec. 11.69(b), placed a moratorium on the Dep't of Health and Human Services approval of additional adult care home beds, but granted an exemption to entities which had submitted a plan for approval prior to May 18, 1997, and had entered into a real estate contract to purchase or lease real property for the purpose of building an adult care home facility. SL 2001-234, sec. 3, amended SL 1997-443, sec. 11.69, by adding subsection (b1), removing that exemption unless documentation of the construction of the facility was provided on or before Dec. 1, 2002, and a certificate of occupancy was issued prior to Dec. 1, 2003. SL 2001-234, sec. 3 also enacted subsection (b2), which provided that notwithstanding the requirements of subsection (b1), an entity that had previously obtained an exemption under subsection (b) for the construction of a new building that was not connected to any existing structure, and had obligated various "Qualifying Financial Commitments" for the construction of the building of $25,000 or more before Jan. 1, 2001, could proceed to develop the beds and obtain a license for the operation of the beds. However, subsection (b2) required that entities provide DHHS with loan closing documents on or before June 1, 2004, evidence that the foundation and footing of the facility have been completed on or before Dec. 1, 2004, and a copy of the certificate of occupancy of the building on or before Dec. 1, 2005. Act extends the first two deadlines by one year for "specially impacted adult care homes," defined as those that are ten stories or more in height, and are located within the boundaries of a municipal service district, within 100 yards of a mixed-use building of more than 10 stories, and within 100 yards of an office building that is more than 20 stories in height.

HOUSE BILLS

H 1411. HATTERAS VILLAGE/TEMP. UNVEGETATED BEACH AREA. Intro. 5/12/04. Senate committee substitute makes the following changes to 2nd edition. Makes technical changes only.

Senator James S. Forrester has been elected Senate Republican Leader, and Senator Tom Apodaca has been elected Deputy Republican Leader.

NEXT SESSIONS

May 17, 2004

HOUSE convenes at 7:00 p.m.

SENATE convenes at 7:00 p.m.

41
2004/5

Daily Bulletin

ACTIONS BY THE NORTH CAROLINA GENERAL ASSEMBLY

Institute *of* Government—School of Government
The University of North Carolina at Chapel Hill
Legislative Reporting Service, Box 7294 State Legislative Building, Raleigh, NC 27601
Phone 919.733.2484 Fax 919.715.3464

House Legislative Day 108 Vol. 2004, No. 5 Senate Legislative Day 110

Monday, May 17, 2004

BILLS INTRODUCED TODAY

BILL #	SHORT TITLE	IDEN	COMMITTEE	GS INDEX OR COUNTIES AFFECTED
S 1095	CLARIFY FEE AUTHORITY OF MASSAGE THERAPY BD.		HELD AS FILED	90
S 1096	CONCORD/KANNAPOLIS BOUNDARIES ADJUSTED		FINANCE	CABARRUS, ROWAN
S 1097	CLOSING THE EQUITY GAP/INCREASE HOMEOWNERSHIP		APPROPRIATIONS	147, APPROP
S 1098	FINANCE CANCER CENTER & CARDIO INSTITUTE		FINANCE	APPROP
S 1099	REDUCE PERSONAL INCOME TAXES	H 1452	FINANCE	105
S 1100	EXPRESS REVIEW PROGRAM	H 1451	AGRICULTURE	143B
S 1101	REDUCE CORPORATE INCOME TAXES	H 1442	FINANCE	105
S 1102	JDIG—ENCOURAGE USE OF NC SMALL BUSINESSES	H 1444	FINANCE	143B
S 1103	PETITION TO DETERMINE NEED FOR RULE/APA		JUDICIARY I	150B
S 1104	REPEAL MEDICAL COVERAGE POLICY APA EXEMPTION	H 1466	JUDICIARY I	UNCODIFIED
S 1105	BLANK APPROPRIATIONS BILL–1		RULES	APPROP
S 1106	BLANK APPROPRIATIONS BILL–2		RULES	APPROP
S 1107	33RD SENATORIAL DISTRICT LOCAL ACT–2		RULES	DAVIDSON, GUILFORD
S 1108	PENDER COUNTY LOCAL ACT		RULES	PENDER
S 1109	COLUMBUS COUNTY LOCAL ACT		RULES	COLUMBUS
S 1110	33RD SENATORIAL DISTRICT LOCAL ACT–1		RULES	DAVIDSON, GUILFORD
S 1111	EST. MARINE FISHERIES VIOLATION POINTS SYSTEM	H 1428	AGRICULTURE	113
S 1112	AMEND FISHERY MANAGEMENT PLAN REQUIREMENTS	H 1429	AGRICULTURE	113
S 1113	8TH SENATORIAL DISTRICT LOCAL ACT		RULES	BRUNSWICK, COLUMBUS, PENDER
S 1114	BRUNSWICK COUNTY LOCAL ACT		RULES	BRUNSWICK
S 1115	ALTERNATIVE R&D TAX CREDIT	H 1415	FINANCE	105
S 1116	FILM INDUSTRY DEVELOPMENT ACCOUNT	H 1432	APPROPRIATIONS	143B, APPROP
S 1117	ONE NC FUND APPROPRIATIONS/CODIFICATION	H 1400	APPROPRIATIONS	143B, 150B, APPROP
S 1118	RETIRED HIGHWAY PATROL SPOUSES SPECIAL PLATE	H 1358	FINANCE	20
S 1119	NEUSE REGIONAL WATER & SEWER FUNDS		APPROPRIATIONS	LOCAL APPROP
S 1120	ECON. INFRASTRUCTURE PROGRAM AT RURAL CENTER	H 1446	APPROPRIATIONS	APPROP
S 1121	FUNDS/PROMOTE TOURISM & ECONOMIC DEVELOPMENT		APPROPRIATIONS	LOCAL APPROP
S 1122	CHAPEL HILL SCHOOL SITES		STATE GOVERNMENT	ORANGE, DURHAM
S 1123	CHAPEL HILL CAMPAIGN FINANCE OPTIONS		RULES	ORANGE, DURHAM
S 1124	AMEND STRUCTURED SENTENCING/POST RELEASE SUPV.		JUDICIARY II	15A, 90
S 1125	JOHNSTON CORONER ABOLISHED		STATE GOVERNMENT	JOHNSTON
S 1126	FAYETTEVILLE ANNEXATION REFERENDUM		HELD AS FILED	CUMBERLAND

N.C. DOCUMENTS CLEARINGHOUSE

This publication is printed on permanent, acid-free paper in compliance with the North Carolina General Statutes.
Institute of Government—School of Government
The University of North Carolina at Chapel Hill

JUN 0 2 2004

© 2004

STATE LIBRARY OF NORTH CAROLINA
RALEIGH

H 1448	NOTICE PERIOD FOR SALES AND USE TAX REFUNDS		FINANCE	105
H 1449	APA TECHNICAL/CLARIFYING CHANGES		JUDICIARY I	150B
H 1450	STOLEN REGISTRATION PLATES REPLACED—NO FEE		RULES	20
H 1451	EXPRESS REVIEW PROGRAM		ENVIRONMENT	143B
H 1452	REDUCE PERSONAL INCOME TAXES		FINANCE	105
H 1453	DISCHARGING FIREARM ON SCHOOL PROPERTY		JUDICIARY III	14
H 1454	CHOCOWINITY STAGGERED TERMS		LOC. GOV. I	BEAUFORT
H 1455	SBE STUDY ALP FUNDING		EDUCATION	STUDY
H 1456	SBE STUDY USE OF AT-RISK FUNDS		EDUCATION	STUDY
H 1457	COMMUNITY SOLUTIONS FOR SUSPENDED STUDENTS		EDUCATION	115C, 143B
H 1458	COUNSELORS IN ALTERNATIVE & MIDDLE SCHOOLS		APPROPRIATIONS	APPROP
H 1459	SBE/TEACHER REQUIREMENTS		EDUCATION	UNCODIFIED
H 1460	INTERVENTION PLANS FOR SUSPENDED STUDENTS		EDUCATION	115C
H 1461	HONORING PENLAND SCHOOL		RULES	JOINT RES
H 1462	SEVEN DEVILS—REGULATE GOLF CARTS/UTIL. VEH.		LOC GOV II	AVERY, WATAUGA
H 1463	HEALTH INSURANCE INNOVATIONS COMMISSION		INSURANCE	STUDY
H 1464	SCHOOL CALENDAR CHANGES		COMMERCE	115C
H 1465	ALLOW FAMILY BUSINESS TO LEASE FARMLAND		FINANCE	105
H 1466	REPEAL MEDICAL COVERAGE POLICY APA EXEMPTION		APPROPRIATIONS	UNCODIFIED
H 1467	STUDY MEDICAID COUNTY SHARE		RULES	STUDY
H 1468	DISEASE MGMT ACTIVITIES STATE HEALTH PLAN		HEALTH	UNCODIFIED
H 1469	DHHS DISEASE MGMT ACTIVITIES		HEALTH	UNCODIFIED
H 1470	REPEAL SUNSET/LONG-TERM CARE INS TAX CRED.	S 1068	FINANCE	105
H 1471	BAKERSVILLE DEANNEXATION		FINANCE	MITCHELL
H 1472	CORNELIUS STREETS/SIDEWALKS		RULES	MECKLENBURG
H 1473	PITT COUNTY 911 FUNDS		PUBLIC UTILITIES	PITT
H 1474	YANCEY COUNTY CONSTRUCTION		LOC GOV II	YANCEY
H 1475	BADIN SATELLITE ANNEXATION		FINANCE	STANLY
H 1476	LRC STUDY HEALTH INSURANCE MANDATES		RULES	STUDY
H 1477	TRANSIT DRUG TEST	S 1091	TRANSPORTATION	20
H 1478	RETIREMENT/TEACHER EXCHANGE PROGRAMS		PENSIONS & RETIREMENT	135
H 1479	AMEND SEX OFFENDER REGISTRATION	S 1048	JUDICIARY III	14, 20, APPROP
H 1480	"IN GOD WE TRUST" SPECIAL PLATES		FINANCE	20
H 1481	TAX FORM DONATION FOR NATIONAL GUARD		RULES	105
H 1482	INDIAN CULTURAL CENTER PAVING FUNDS		APPROPRIATIONS	APPROP
H 1483	"STRIKE AT THE WIND" FUNDS		APPROPRIATIONS	APPROP
H 1484	CLEVELAND COUNTY BOARD OF EDUCATION ELECTIONS		LOC GOV I	CLEVELAND
H 1485	COMMUNITY CARE OF NORTH CAROLINA FUNDS		APPROPRIATIONS	APPROP
H 1486	ADULT CAY CARE RATE INCREASE		APPROPRIATIONS	APPROP
H 1487	DHHS STUDY/MEDICAID INSTITUTIONAL BIAS		HEALTH	STUDY, APPROP
H 1488	SENIOR ADULT HOUSING FUNDS		APPROPRIATIONS	APPROP
H 1489	REPEAL SUNSET/LONG-TERM CARE INS. TAX CREDIT	S 1068	FINANCE	105
H 1490	STUDY MENTALLY ILL LTC RESIDENT ISSUES		HEALTH	STUDY
H 1491	AMEND SEX OFFENDER REGISTRATION	S 1048	JUDICIARY III	14, 20, APPROP
H 1492	IRC UPDATE	H 1430	RULES	105
H 1493	KIDS VOTING FUNDS		RULES	APPROP
H 1494	HIGH-RISK HEALTH INSURANCE STUDY	H 1367	RULES	STUDY
H 1495	CLAWBACK FAILED INCENTIVES		RULES	143B, 105, APPROP
H 1496	PETITION TO DETERMINE NEED FOR RULE/APA	S 1103	RULES	150B

SUMMARIES OF BILLS INTRODUCED TODAY

SENATE BILLS

S 1095. CLARIFY FEE AUTHORITY OF MASSAGE THERAPY BD. *TO CLARIFY THAT THE NORTH CAROLINA BOARD OF MASSAGE AND BODYWORK THERAPY DOES NOT HAVE THE AUTHORITY TO ESTABLISH FEES RELATED TO THE APPROVAL OF MASSAGE AND BODYWORK THERAPY SCHOOLS.* Repeals authority of cited Board to establish reasonable fees for applications for examination, certificates of licensure and renewal, and other services provided by the Board by repealing GS 90-626(8). Specifies that the Board is not to establish, charge, or collect any fee related to the approval of massage and body work therapy schools without specific statutory authority. Effective July 1, 2004.
Intro. by Hartsell.
Held as Filed GS 90

S 1096. CONCORD/KANNAPOLIS BOUNDARIES ADJUSTED. *TO ADJUST THE BOUNDARIES BETWEEN THE CITIES OF CONCORD AND KANNAPOLIS AS MUTUALLY AGREED UPON.* As title indicates. Effective June 30, 2004.
Intro. by Hartsell.
Ref. to Finance CABARRUS, ROWAN

S 1097. CLOSING THE EQUITY GAP/INCREASE HOMEOWNERSHIP. *TO INCREASE HOMEOWNERSHIP IN NORTH CAROLINA BY DEVELOPING A PUBLIC EDUCATION CAMPAIGN REGARDING HOMEOWNERSHIP PROGRAMS AND THE BENEFITS OF HOMEOWNERSHIP, TO PROVIDE BETTER HOME BUYER PREPARATION AND CONSUMER CREDIT COUNSELING, TO CREATE REGIONAL COALITIONS TO IDENTIFY AND REDUCE BARRIERS TO HOMEOWNERSHIP, AND TO APPROPRIATE FUNDS TO ESTABLISH THOSE PROGRAMS.* Appropriates $9,000,000 for 2004-2005 from General Fund to Rural Economic Development Center, Inc. (Center) to establish the Equity Plus Homeownership Program (Program), in order to increase the number of North Carolinians who are able to purchase and retain equity-building homes (defined in act). Up to 3 percent may be used by the Center to cover expenses in administering the act.

$5,000,000 is to be used by the Center to establish a central inventory of all homeownership programs and financing resources available in NC; to develop and implement an aggressive public information and education campaign to publicize the benefits of purchasing an equity-building home and the resources that are available to assist; to coordinate with and support organizations that increase homeownership in equity-building homes and protect housing consumers; to collaborate with local governments to help remove barriers to the development of affordable, equity-building housing; to partner with the NC Dep't of Commerce and public and private employers to foster workforce housing to attract and retain employees and as an economic development tool; and to identify and solicit additional funding from charitable and federal sources that can be used to increase equity-building homeownership rates in NC.

$3,000,000 is to be used for grants to nonprofit corporations and local governments to make certified homebuyer credit counselors available to potential Equity Plus homebuyers throughout NC. (Equity Plus mortgage product is a loan with low rates, foreclosure prevention provisions, and certain other characteristics to assist the target population in obtaining home financing; it is more fully defined in the act.) Specifies how the positions are to be used, and requires the Center to establish performance-based criteria for grant recipients, and to collect and evaluate data received from grant recipients to determine how many equity-building homes are purchased using Equity Plus mortgage products as a result of the Program.

$1,000,000 is to be used to develop a mechanism for identifying equity-building homes and to provide grants to Regional Equity Plus Coalitions to increase ownership of such homes. Requires Center to collaborate with representatives from various specified interested groups to establish criteria for evaluating various features of residential buildings. Using the criteria, Center is also to develop a mechanism that consumers, builders, or realtors can use to evaluate individual properties' equity-building potential. Allows funds to be used to pay for creation and distribution of the mechanism and for third-party evaluation of individual properties. Center must implement these provisions by Jan. 1, 2005.

Center is to make grants from the $1,000,000 to local governments to organize and operate the Regional Coalitions. Coalitions are to have representatives from specified interested groups, and are to prepare and carry out local and regional marketing campaigns for the above-described mortgages and homes.

Establishes Equity Plus Advisory Committee to collaborate with the Center on the implementation of the Program; Committee includes representatives from a variety of governmental and non-profit organizations.

Requires Center to report to Joint Legislative Comm'n on Governmental Operations (Joint Comm'n) and the Fiscal Research Div'n (Div'n) by Jan. 15, 2005, and more frequently as requested, (1) its fiscal year 2004-2005 planned activities, objectives, and accomplishments including actual results through Dec. 31, 2004; and (2) its fiscal year 2004-2005 estimated itemized expenditures and fund sources including actual expenditures and fund sources through Dec. 31, 2004. Requires Center to develop a plan to add 42,000 equity-building homeowners in NC by July 1, 2008, and to establish goals for continuing to substantially increase homeownership in such homes thorough 2018. The plan is to be part of the NC Consolidated Plan for 2005-2010, and is to include a budget for its implementation; it is to be submitted to the Joint Comm'n and the Div'n by Jan. 15, 2005. Requires Center to provide Div'n with a copy of each grant recipient's annual audited financial statement within 30 days of its issuance.

Appropriates $2,000,000 for 2004-2005 from General Fund to NC Housing Finance Agency to create a loan loss reserve to offset expenses that may occur from defaults or delinquencies on mortgages purchased by the Agency in furtherance of the Program. Requires loans purchased by Agency to meet its criteria regarding sales price limits.

Appropriates $2,000,000 for 2004-2005 from General Fund to Dep't of Commerce to be allocated to the Center for Community Self-Help (Self-Help) in furtherance of the Program. Funds are to be leveraged on a 20 to 1 basis, generating at least $20 of nontraditional home loans for $1 of state funds. Appropriation is to be disbursed within guidelines established by the Office of State Budget and Management. Request is to include a commitment of the leveraged funds by Self-Help or its affiliates. Payments of principal are to be available for further loans or loan guarantees. Loans purchased by Self-Help must meet its criteria regarding sales price limits. Requires Self-Help to submit, within 180 days after the close of its fiscal year, audited financial statements to the State Auditor. Specifies that all records pertaining to the use of State funds are to be made available to the State Auditor on request. Self-Help must make quarterly reports to the Auditor on the use of State funds in form and format Auditor prescribed, and Center must make a written report to the General Assembly by May 1 of each of the next three years on the use of the funds allocated. Self-Help must also report quarterly for the next three years to the Joint Comm'n, the House Appropriations Subcommittee on Natural and Economic Resources, the Senate Appropriations Committee on Natural and Economic Resources, and the Dep't of Commerce. Authorizes Office of State Auditor to conduct an annual end-of-year audit of the revolving fund for economic development lending creating by act's appropriation for each year of fund's life. Specifies that if Self-Help dissolves, the corporation must transfer the remaining assets of the revolving fund to the State and must not dispose of those assets without the State Treasurer's approval.

Requires Center to collaborate with the State Employees Credit Union, the NC Credit Union League, and the NC Bankers Ass'n to develop new and identify existing Equity Plus mortgage products that are or will be offered by member institutions and that will increase the number of public employees and other North Carolinians purchasing equity-building homes.

Requires State Treasurer to work with the financing entities listed in GS 147-69.1(c)(2) to develop an NC-specific mortgage portfolio in which the Treasurer may invest funds under that statute. Treasurer is to attempt to invest at least $100,000,000 in this portfolio in order to assist with mortgage financing liquidity in NC. Amends cited statute to authorize Treasurer to consider indirect economic benefits to NC's citizens when selecting particular investments under subsection.

Effective July 1, 2004.

Intro. by Queen, Malone.

Ref. to Appropriations GS 147, APPROP

S 1098. FINANCE CANCER CENTER & CARDIO INSTITUTE. *TO IMPROVE HEALTH CARE BY AUTHORIZING SPECIAL INDEBTEDNESS TO FINANCE A CANCER TREATMENT CENTER AT THE UNIVERSITY OF NORTH CAROLINA HOSPITALS AT CHAPEL HILL AND A CARDIOVASCULAR DISEASES INSTITUTE AT EAST CAROLINA UNIVERSITY.* As title indicates authorizes the issuance or incurrance of special indebtedness pursuant to GS 142-83 in the amount of $180 million for the cancer center and $60 million for the Cardiovascular Diseases Institute.

Intro. by Jenkins, Kerr, Albertson, Holloman, Swindell, Thomas.

Ref. to Finance APPROP

S 1099. REDUCE PERSONAL INCOME TAXES (=H 1452). *TO REDUCE PERSONAL INCOME TAXES.* Identical to H 1452, introduced 5/17/04.
Intro. by Hoyle, Apodaca, Garwood, Hagan, Hargett, Malone, Smith, Swindell, Thomas.
Ref. to Finance GS 105

S 1100. EXPRESS REVIEW PROGRAM (=H 1451). *TO MAKE PERMANENT THE EXPRESS REVIEW PROGRAM.* Identical to H 1451, introduced 5/17/04.
Intro. by Hoyle, Apodaca, Garwood, Hagan, Hargett, Malone, Smith, Swindell, Thomas.
Ref. to Agriculture GS 143B

S 1101. REDUCE CORPORATE INCOME TAXES (=H 1442). *TO REDUCE CORPORATE INCOME TAXES.* Identical to H 1442, introduced 5/13/04.
Intro. by Hoyle, Apodaca, Garwood, Hagan, Hargett, Malone, Smith, Swindell, Thomas.
Ref. to Finance GS 105

S 1102. JDIG—ENCOURAGE USE OF NC SMALL BUSINESSES (=H 1444). *REQUIRING JOB DEVELOPMENT INVESTMENT GRANT (JDIG) PROGRAM AGREEMENTS TO CONTAIN A PROVISION ENCOURAGING THE USE OF SMALL BUSINESSES HEADQUARTERED IN NORTH CAROLINA.* Identical to H 1444, introduced 5/13/04.
Intro. by Hoyle, Apodaca, Garwood, Hagan, Hargett, Malone, Smith, Swindell, Thomas.
Ref. to Finance GS 143B

S 1103. PETITION TO DETERMINE NEED FOR RULE/APA. *TO AMEND THE ADMINISTRATIVE PROCEDURE ACT TO AUTHORIZE A PERSON TO PETITION AN AGENCY TO DETERMINE THE NEED FOR A RULE.* Enacts new GS 150B-20(a1), authorizing a person to submit a written petition to an agency requesting review of any document issued by or relied upon by agency, to determine whether it should have been adopted as a rule in accordance with the Administrative Procedure Act. Requires that agency develop procedure for consideration of such petitions. Amends GS 150B-20(b) to authorize petitioner to seek a stay of agency's reliance upon document in question upon a showing that it can in good faith be classified as a rule. Adopts new GS 150B-51(f), establishing procedure for review of the agency's denial of petition. Enacts new GS 150B-51(e), requiring that in reviewing an appeal from an agency decision denying any petition to adopt a rule, the court shall determine whether the agency's decision may have prejudiced the rights of the petitioner as set forth in GS 150B-51(b). Makes technical changes. Effective Oct. 1, 2004.
Intro. by Foxx, Nesbitt.
Ref. to Judiciary I GS 150B

S 1104. REPEAL MEDICAL COVERAGE POLICY APA EXEMPTION (=H 1466). *TO REPEAL THE DEPARTMENT OF HEALTH AND HUMAN SERVICES' EXEMPTION FROM THE RULE-MAKING REQUIREMENTS OF THE ADMINISTRATIVE PROCEDURE ACT WHEN ADOPTING NEW OR AMENDING EXISTING MEDICAL COVERAGE POLICIES UNDER THE STATE MEDICAID PROGRAM.* Identical to H 1466, introduced 5/17/04.
Intro. by Foxx.
Ref. to Judiciary I UNCODIFIED

S 1105. BLANK APPROPRIATIONS BILL–1. *TO APPROPRIATE FUNDS FOR THE 2004–2005 FISCAL YEAR.* Blank bill.
Intro. by Garrou.
Ref. to Rules APPROP

S 1106. BLANK APPROPRIATIONS BILL–2. *TO APPROPRIATE FUNDS FOR THE 2004–2005 FISCAL YEAR.* Blank bill.
Intro. by Garrou.
Ref. to Rules APPROP

S 1107. 33RD SENATORIAL DISTRICT LOCAL ACT–2. *RELATING TO THE 33RD SENATORIAL DISTRICT.* Blank bill.
Intro. by Bingham.
Ref. to Rules DAVIDSON, GUILFORD

S 1108. PENDER COUNTY LOCAL ACT. *RELATING TO THE COUNTY OF PENDER.* Blank bill.
Intro. by Soles.
Ref. to Rules PENDER

S 1109. COLUMBUS COUNTY LOCAL ACT. *RELATING TO THE COUNTY OF COLUMBUS.* Blank bill.
Intro. by Soles.
Ref. to Rules COLUMBUS

S 1110. 33RD SENATORIAL DISTRICT LOCAL ACT–1. *RELATING TO THE 33RD SENATORIAL DISTRICT.* Blank bill.
Intro. by Bingham.
Ref. to Rules DAVIDSON, GUILFORD

S 1111. EST. MARINE FISHERIES VIOLATION POINTS SYSTEM (=H 1428). *TO ESTABLISH A VIOLATIONS POINTS SYSTEM FOR THE SUSPENSION, REVOCATION, AND REISSUANCE OF MARINE FISHING LICENSES.* Identical to H 1428, introduced 5/13/04.
Intro. by Albertson.
Ref. to Agriculture GS 113

S 1112. AMEND FISHERY MANAGEMENT PLAN REQUIREMENTS (=H 1429). *TO REQUIRE FISHERY MANAGEMENT PLANS TO ACHIEVE SUSTAINABLE HARVEST RATHER THAN OPTIMAL YIELD AND TO SPECIFY A TIME PERIOD FOR ENDING OVERFISHING AND REBUILDING THE FISHERY.* Identical to H 1429, introduced 5/13/04.
Intro. by Albertson.
Ref. to Agriculture GS 113

S 1113. 8TH SENATORIAL DISTRICT LOCAL ACT. *RELATING TO THE 8TH SENATORIAL DISTRICT.* Blank bill.
Intro. by Soles.
Ref. to Rules BRUNSWICK, COLUMBUS, PENDER

S 1114. BRUNSWICK COUNTY LOCAL ACT. *RELATING TO THE COUNTY OF BRUNSWICK.* Blank bill.
Intro. by Soles.
Ref. to Rules BRUNSWICK

S 1115. ALTERNATIVE R&D TAX CREDIT (=H 1415). *TO CREATE AN ALTERNATIVE RESEARCH AND DEVELOPMENT TAX CREDIT.* Identical to H 1415, introduced 5/13/04.
Intro. by Kerr, Hartsell, Albertson, Apodaca, Bingham, Dalton, Dannelly, Garrou, Jenkins, Queen, Sloan, Stevens, Weinstein.
Ref. to Finance GS 105

S 1116. FILM INDUSTRY DEVELOPMENT ACCOUNT (=H 1432). *TO MODIFY THE FILM INDUSTRY DEVELOPMENT ACCOUNT AND TO APPROPRIATE FIVE MILLION DOLLARS TO THAT ACCOUNT.* Identical to H 1432, introduced 5/13/04.
Intro. by Kerr, Albertson, Apodaca, Bingham, Dalton, Dannelly, Garrou, Hartsell, Jenkins, Queen, Sloan, Weinstein.
Ref. to Appropriations GS 143B, APPROP

S 1117. ONE NC FUND APPROPRIATIONS/CODIFICATION (=H 1400). *TO APPROPRIATE FUNDS TO THE ONE NORTH CAROLINA FUND AND TO CODIFY PROVISIONS RELATING TO THE ONE NORTH CAROLINA FUND.* Identical to H 1400, introduced 5/12/04.
Intro. by Kerr, Hartsell, Albertson, Apodaca, Bingham, Dalton, Dannelly, Garrou, Jenkins, Queen, Sloan, Weinstein.
Ref. to Appropriations GS 143B, 150B, APPROP

S 1118. RETIRED HIGHWAY PATROL SPOUSES SPECIAL PLATE (=H 1358). *TO AUTHORIZE THE SURVIVING SPOUSES OF RETIRED HIGHWAY PATROLMEN TO PURCHASE RETIRED HIGHWAY PATROL SPECIAL REGISTRATION PLATES.* Identical to H 1358, introduced 5/11/04.
Intro. by Kerr.
Ref. to Finance GS 20

S 1119. NEUSE REGIONAL WATER & SEWER FUNDS. *TO APPROPRIATE FUNDS TO THE NEUSE REGIONAL WATER AND SEWER AUTHORITY FOR THE CONSTRUCTION OF A NEW REGIONAL WATER SUPPLY TREATMENT PLANT.* Appropriates $13 million for 2004-2005 from General Fund to Neuse Regional Water and Sewer Authority as title indicates. Effective July 1, 2004.
Intro. by Kerr, Albertson.
Ref. to Appropriations LOCAL APPROP

S 1120. ECON. INFRASTRUCTURE PROGRAM AT RURAL CENTER (=H 1446). *TO APPROPRIATE FIFTEEN MILLION DOLLARS TO THE RURAL ECONOMIC DEVELOPMENT CENTER TO BE USED TO CREATE A NORTH CAROLINA ECONOMIC INFRASTRUCTURE PROGRAM.* Identical to H 1446, introduced 5/13/04.
Intro. by Kerr, Hartsell, Albertson, Apodaca, Bingham, Dalton, Dannelly, Garrou, Jenkins, Queen, Sloan, Weinstein, Stevens.
Ref. to Appropriations APPROP

S 1121. FUNDS/PROMOTE TOURISM & ECONOMIC DEVELOPMENT. *TO APPROPRIATE FUNDS FOR THE DEVELOPMENT OF THE DR. MARTIN LUTHER KING, JR. MEMORIAL PARK IN CUMBERLAND COUNTY, WHICH WILL STIMULATE TOURISM AND ECONOMIC DEVELOPMENT.* Appropriates $500,000 for 2004-2005 from General Fund to Fayetteville/Cumberland County Dr. Martin Luther King, Jr. Committee as title indicates. Effective July 1, 2004.
Intro. by Shaw.
Ref. to Appropriations LOCAL APPROP

S 1122. CHAPEL HILL SCHOOL SITES. *TO AUTHORIZE THE TOWN OF CHAPEL HILL TO POSTPONE FOR EIGHTEEN MONTHS THE APPROVAL OF SPECIAL USE PERMITS AND SITE PLANS PROPOSED ON SITES RESERVED AS SCHOOL SITES ON THE TOWN'S ADOPTED COMPREHENSIVE LAND-USE PLAN.* Amends GS 160A-381(d) as title indicates (was, 12 months).
Intro. by Kinnaird.
Ref. to State Government ORANGE, DURHAM

S 1123. CHAPEL HILL CAMPAIGN FINANCE OPTIONS. *TO CLARIFY THAT GRANTS FROM UNIFORM PROGRAMS FOR PUBLIC CAMPAIGN FINANCING OF THE TOWN OF CHAPEL HILL DO NOT CONSTITUTE "CONTRIBUTIONS" AND ARE NOT SUBJECT TO RESTRICTIONS ON CONTRIBUTIONS; AND TO CLARIFY THAT THE TOWN OF CHAPEL HILL IS AUTHORIZED TO CONDUCT THOSE PROGRAMS.* As title indicates. Amends GS 163-278.6(6) as title indicates, and sets forth conditions that grants must meet in order to be exempt from definition of "contributions." Further enacts GS 160A-499, authorizing Chapel Hill to appropriate funds for a uniform program of grants to the campaigns of candidates for city office under certain conditions and requiring that city report to state and county boards on actions under section..
Intro. by Kinnaird.
Ref. to Rules ORANGE, DURHAM

S 1124. AMEND STRUCTURED SENTENCING/POST RELEASE SUPV. *TO AMEND THE STRUCTURED SENTENCING LAWS WITH REGARD TO POST-RELEASE SUPERVISION AS RECOMMENDED BY THE NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION.* Rewrites the sentencing table in GS 15A-1340.17(d) for Class B1 through Class I felonies for minimum terms up to 346 months. Amends GS 15A-1340.11(b) to provide that for Class B1, B2, C, D, and E felonies, the sentence shall include a period of post-release supervision pursuant to GS 15A-1340.18. Enacts new GS 15A-1340.18 to provide that in most convictions of Class B1, B2, C, D, and E felonies, the court must impose, in addition to a term of imprisonment, a period of post-release supervision of 9 months. Upon revocation of post-release supervision, the term of imprisonment shall be for a minimum term of 7 months and a maximum term of 9 months. The court may decline to impose post-release supervision if it makes a finding of facts that indicate post-release supervision would not be necessary in that case. In addition, if an offender is convicted of a Class B1 felony and receives a life sentence, post-release supervision shall not be imposed. Deletes GS 15A-1368.2(d), concerning reduction of the

period of post-release supervision by earned time. Enacts new GS 15A-1368.4(e2) to impose 17 specified conditions for post-release of persons convicted of sex offenses and of offenses involving physical, mental, or sexual abuse of a minor. These conditions include no contact with the victim, psychological assessment, participation in a sexual abuse treatment program, payment for the victim's mental health counseling expenses, submission to warrantless searches and seizures, not work or volunteer for a business or organization that provides services to or employs person under 18 years of age, and abide by a curfew. Amends various provisions of GS 90-95(h) to provide that persons convicted of selling, possessing, etc. specified large amounts of marijuana, methaqalone, cocaine, methamphetamines, heroin or opium, LSD, or MDA/MDMA shall serve a period of post-release supervision and term of imprisonment pursuant to GS 15A-1340.18. Effective Dec. 1, 2004.
Intro. by Hartsell.
Ref. to Judiciary II GS 15A, 90

S 1125. JOHNSTON CORONER ABOLISHED. *TO ABOLISH THE OFFICE OF CORONER IN JOHNSTON COUNTY.* As title indicates.
Intro. by Smith.
Ref. to State Government JOHNSTON

S 1126. FAYETTEVILLE ANNEXATION REFERENDUM. *AMENDING THE CHARTER OF THE CITY OF FAYETTEVILLE TO REQUIRE APPROVAL OF ANNEXATIONS BY THE VOTERS OF THE AREA TO BE ANNEXED.* As title indicates. County board of elections shall hold election with 90 days after receiving resolution calling for a referendum from the city council.
Intro. by Shaw.
Held as Filed CUMBERLAND

HOUSE BILLS

H 1448. NOTICE PERIOD FOR SALES AND USE TAX REFUNDS. *TO REQUIRE THAT SELLERS BE PROVIDED WITH NOTICE AND A SIXTY-DAY PERIOD TO RESPOND TO A REQUEST FOR A REFUND OF OVER-COLLECTED SALES OR USE TAXES BEFORE A PURCHASER MAY BRING A CAUSE OF ACTION AGAINST THE SELLER.* Enacts new GS 105-164.11(c) as title indicates. Enacts new GS 105-164.11(b), requiring that a purchaser seeking a tax refund first exhaust remedies provided by Ch. or otherwise dictated by administrative rule, bulletins, or directive. Enacts new GS 105-164.11(d), providing that in connection with purchaser's refund request, if a seller uses either a provider or a system certified by the state and remits taxes collected to the state, seller is presumed to have a reasonable business practice.
Intro. by Luebke, G. Allen, Wainwright, Miner, Brubaker, Hill, Wood, McGee.
Ref. to Finance GS 105

H 1449. APA TECHNICAL/CLARIFYING CHANGES. *TO MAKE TECHNICAL AND CLARIFYING CHANGES TO THE ADMINISTRATIVE PROCEDURE ACT.* Makes various technical changes to GS 150B-21.1 as title indicates. Amends new GS 150B-21.1(a3) to require that if a temporary rule increases or establishes a fee, the agency must include a statement of compliance with GS 12-3.1. Amends GS 150B-21.3(b2) to clarify that written objections must be received prior to date on which Rules Review Comm'n reviews rule.
Intro. by Fisher.
Ref. to Judiciary I GS 150B

H 1450. STOLEN REGISTRATION PLATES REPLACED - NO FEE. *TO PROVIDE THAT STOLEN REGISTRATION PLATES WILL BE REPLACED BY THE DIVISION OF MOTOR VEHICLES WITHOUT THE PAYMENT OF A FEE.* Amends GS 20-68(a) as title indicates. Applicant must furnish sworn information about the theft of the motor vehicle registration plate that is satisfactory to the Div'n in order to obtain the free replacement plate.
Intro. by Miller.
Ref. to Rules GS 20

H 1451. EXPRESS REVIEW PROGRAM. *TO MAKE PERMANENT THE EXPRESS REVIEW PROGRAM.* Adds new GS Ch. 143B, Art. 7, Part 31, "Express Review Program," authorizing the Dep't of Environment and Natural Resources (Dep't) to develop the Express Review Program (Program) to provide express permit and certification reviews. Specifies that participation in the Program is voluntary, and that it is to be fee-supported.

Authorizes applying the program to permits, approvals, and certifications in the erosion and sedimentation control program, the coastal management program, and the water quality programs, including water quality certifications and stormwater management. Specifies that program is to focus on stormwater permits under GS Ch. 143, Art. 21, Part 1; stream origination certifications and water quality certification under GS Ch. 143, Art. 21; erosion and sedimentation control permits under GS Ch. 113A, Art. 4; and permits under the Coastal Area Management Act (CAMA), GS Ch. 113A, Art. 7, Part 4.

Authorizes Dep't to determine the fees for express application review, and specifies maximum fees that may be charged for the review of project applications requiring various combinations of the permits listed above, as well as those requiring other permits or certifications. Fees allowed under Act apply notwithstanding the fee schedule for water quality permits in GS 143-215.3D, or any other statute or rule that sets a permit fee. Allows additional fees up to 50 percent of the original permit application fee under act to be charged for subsequent reviews due to insufficiency of the permit applications. Dep't may establish the procedure by which the amount of the fees under the act is determined.

Creates the Express Review Fund (Fund), a special nonreverting fund to be used for the costs of implementing the program. All fees collected under act are to be credited to the Fund. If the Program is abolished, the funds in the Fund are to be credited to the General Fund.

Intro. by LaRoque, Church, Allred, Bordsen, Daughtridge, Decker, Jones, Warner, C. Wilson.
Ref. to Environment GS 143B

H 1452. REDUCE PERSONAL INCOME TAXES. *TO REDUCE PERSONAL INCOME TAXES.* Amends SL 2003-284, Sec. 39.1, by eliminating GS 105-134.2(a) higher upper income tax rate of 8.25% effective Jan. 1, 2005 (was, upper income tax rate eliminated effective Jan. 1, 2006).
Intro. by LaRoque, Church, Allred, Daughtridge, Decker, Jones, C. Wilson.
Ref. to Finance GS 105

H 1453. DISCHARGING FIREARM ON SCHOOL PROPERTY. *TO MAKE IT A CLASS F FELONY TO DISCHARGE A FIREARM ON EDUCATIONAL PROPERTY, AS RECOMMENDED BY THE JOINT LEGISLATIVE CORRECTIONS, CRIME CONTROL, AND JUVENILE JUSTICE OVERSIGHT COMMITTEE.* Amends GS 14-269.2, "Weapons on campus or other educational property," to specify that any person who discharges a firearm of any kind on educational property or at a curricular or extracurricular activity sponsored by a school is guilty of a Class F felony, unless the conduct is covered under some other provision of law providing greater punishment. Does not apply to a BB gun, stun gun, air rifle, or air pistol. Makes conforming amendment to GS 14-269.2(h) to clarify that the exception to the statutory prohibitions found in that subsection continues to apply only to the possession or carrying of a firearm.
Intro. by Moore, Clary.
Ref. to Judiciary III GS 14

H 1454. CHOCOWINITY STAGGERED TERMS. *TO PROVIDE FOR STAGGERED FOUR-YEAR TERMS FOR THE MAYOR AND BOARD OF COMMISSIONERS OF THE TOWN OF CHOCOWINITY.* As title indicates.
Intro. by A. Williams.
Ref. to Loc. Gov. I BEAUFORT

H 1455. SBE STUDY ALP FUNDING. *TO IMPLEMENT THE RECOMMENDATION OF THE HOUSE INTERIM COMMITTEE ON PROVIDING AN APPROPRIATE EDUCATION FOR STUDENTS ON LONG-TERM SUSPENSION TO DIRECT THE STATE BOARD OF EDUCATION TO DEVELOP AND RECOMMEND A FUNDING FORMULA FOR ALTERNATIVE LEARNING PROGRAMS AND ALTERNATIVE SCHOOLS.* As title indicates.
Intro. by Preston, Warner, Bell, Blackwood, Bonner, Fisher, Parmon, Sauls, Warren, Womble.
Ref. to Education STUDY

H 1456. SBE STUDY USE OF AT-RISK FUNDS. *TO IMPLEMENT THE RECOMMENDATION OF THE HOUSE INTERIM COMMITTEE ON PROVIDING AN APPROPRIATE EDUCATION FOR STUDENTS ON LONG-TERM SUSPENSION TO DIRECT THE STATE BOARD OF EDUCATION TO DETERMINE A SPECIFIED PERCENTAGE OF AT-RISK FUNDS FOR SERVICES TO STUDENTS WHO ARE SUSPENDED FROM SCHOOL FOR MORE THAN TEN DAYS.* As title indicates.
Intro. by Preston, Warner, Bell, Blackwood, Bonner, Fisher, Parmon, Sauls, Warren, Womble.
Ref. to Education STUDY

H 1457. COMMUNITY SOLUTIONS FOR SUSPENDED STUDENTS. *TO IMPLEMENT THE RECOMMENDATIONS OF THE HOUSE INTERIM COMMITTEE ON PROVIDING AN APPROPRIATE EDUCATION FOR STUDENTS ON LONG-TERM SUSPENSION TO ENCOURAGE THE IDENTIFICATION AND DEVELOPMENT OF A CONTINUUM OF COMMUNITY SOLUTIONS TO MEET THE EDUCATIONAL NEEDS OF STUDENTS WHO ARE SUSPENDED FOR MORE THAN TEN SCHOOL DAYS, AND TO REQUIRE EVERY LOCAL SCHOOL ADMINISTRATIVE UNIT TO OFFER AN ALTERNATIVE SETTING TO STUDENTS WHO ARE SUSPENDED FOR MORE THAN TEN SCHOOL DAYS.* Enacts new GS 143B-549.1 and 115C-47(44), requiring that County Councils and local boards of education develop continuum of community solutions as title indicates. Effective July 1, 2005, adopts new GS 115C-391(i) requiring that suspended students be offered alternative settings.
Intro. by Preston, Warner, Bell, Bonner, Fisher, Parmon, Sauls, Warren, Womble.
Ref. to Education GS 115C, 143B

H 1458. COUNSELORS IN ALTERNATIVE & MIDDLE SCHOOLS. *TO IMPLEMENT THE RECOMMENDATION OF THE HOUSE INTERIM COMMITTEE ON PROVIDING AN APPROPRIATE EDUCATION FOR STUDENTS ON LONG-TERM SUSPENSION TO PROVIDE SCHOOL COUNSELORS IN EVERY ALTERNATIVE SCHOOL AND TO MEET THE RECOMMENDED RATIO OF COUNSELORS TO STUDENTS.* Appropriates $23,900,709 for 2004-2005 from General Fund to Dep't of Public Instruction, State Aid to Local School Admin. Units (State Aid), to be used as title indicates without reducing the number of instructional support personnel, such as other school counselors, school social workers, media specialists, and school nurses. Specifies that the first priority for the use of the expansion budget funds appropriated in act to the Instructional Support Personnel is to enable every alternative school to have one school counselor and to enable every middle school (defined in GS 115C-75(a)) to have one counselor per 250, as recommended by the American School Counselors Ass'n. Requires State Board of Education to modify the accounting system for State Aid so that it can account for state funds expended for school counselors in each local school administrative unit. Effective July 1, 2004.
Intro. by Preston, Warner, Bell, Blackwood, Bonner, Fisher, Parmon, Sauls, Warren, Womble.
Ref. to Appropriations APPROP

H 1459. SBE/TEACHER REQUIREMENTS. *TO IMPLEMENT THE RECOMMENDATION OF THE HOUSE INTERIM COMMITTEE ON PROVIDING AN APPROPRIATE EDUCATION FOR STUDENTS ON LONG-TERM SUSPENSION TO DIRECT THE STATE BOARD OF EDUCATION TO ADOPT A POLICY TO REQUIRE ALL TEACHERS AND ADMINISTRATORS TO TAKE THREE RENEWAL CREDITS IN DIVERSITY TRAINING, ANGER MANAGEMENT, CONFLICT RESOLUTION, OR CLASSROOM MANAGEMENT AND TO DETERMINE WHETHER TEACHER PREPARATION PROGRAMS SHOULD REQUIRE SIMILAR COURSES.* As title indicates. Three credits are to be taken during each five-year license renewal cycle. State Board of Education is to report its findings and recommendations concerning whether teacher preparation programs should require cited courses to the Joint Legislative Education Oversight Committee by Dec. 15, 2004.
Intro. by Preston, Warner, Bell, Blackwood, Bonner, Fisher, Parmon, Sauls, Warren, Womble.
Ref. to Education UNCODIFIED

H 1460. INTERVENTION PLANS FOR SUSPENDED STUDENTS. *TO IMPLEMENT THE RECOMMENDATION OF THE HOUSE INTERIM COMMITTEE ON PROVIDING AN APPROPRIATE EDUCATION FOR STUDENTS ON LONG-TERM SUSPENSION TO REQUIRE SCHOOLS TO DEVELOP AND IMPLEMENT INTERVENTION PLANS FOR STUDENTS WHO ARE SUSPENDED FROM SCHOOL.* Adds new GS Ch. 115C, Art. 27B, "Intervention Plans for Suspended Students," that requires local school administrative units to develop an intervention plan (Plan) for any suspended student. Defines "suspended student" as a student who receives a suspension of more than 10 school days; receives multiple suspensions during one school year that total more than 10 school days; or accumulates five unexcused absences during one school year. Plan may be part of any other plan, such as an Individualized Education Program, that is required to be developed for the student. Plan must include, at a minimum, (1) high educational expectations for the student; (2) strategies to address the underlying reasons for the student's conduct that led to the suspension; (3) a focus on the student's particular educational needs, especially reading; (4) the signature of the student's parent or guardian; and (5) an accountability component. Amends GS 115C-402(b) to make Plan part of student's official record, and amends GS 115C-402(b) and (c) to allow for Plan's expungement from that record. Act is effective when it becomes law, applies beginning with the 2005-2006 school year.
Intro. by Preston, Warner, Bell, Blackwood, Bonner, Fisher, Parmon, Sauls, Warren, Womble.
Ref. to Education GS 115C

H 1461. HONORING PENLAND SCHOOL. *HONORING THE PENLAND SCHOOL OF CRAFTS ON ITS 75TH ANNIVERSARY AND THE MEMORY OF LUCY MORGAN, THE FOUNDER OF THE PENLAND SCHOOL OF CRAFTS.* As title indicates.
Intro. by Frye.
Ref. to Rules JOINT RES

H 1462. SEVEN DEVILS-REGULATE GOLF CARTS/UTIL. VEH. *TO AUTHORIZE THE TOWN OF SEVEN DEVILS TO ADOPT ORDINANCES REGULATING GOLF CARTS AND UTILITY VEHICLES.* Amends SL 2003-124 as title indicates.
Intro. by Frye.
Ref. to Loc. Gov. II AVERY, WATAUGA

H 1463. HEALTH INSURANCE INNOVATIONS COMMISSION. *TO ESTABLISH THE NORTH CAROLINA HEALTH INSURANCE INNOVATIONS COMMISSION.* Establishes cited Comm'n for the purpose of quickly and effectively addressing, through the collaborative efforts of involved and affected persons, the crisis that the General Assembly finds to exist in the availability and affordability of adequate health insurance coverage for small business owners and employees in NC. Comm'n is to have 24 members, 12 appointed by the House, 6 on recommendation of each of the Speakers, and 12 appointed by the Senate on the recommendation of the President Pro Tem, all for 2 year renewable terms. Each Speaker and the President Pro Tem is to designate a cochair. Comm'n is to have 3 members who represent health insurers, 3 NC-licensed physicians, 3 members who represent NC hospitals, 2 members representing businesses with fewer than 50 employees and 2 representing those with 50 or more employees, one representing insurance brokers or agents, and one who represents health researchers and policy experts. The appointments are also to reflect representation among the state's regions.

Comm'n is to identify and evaluate comprehensively the problems small employers face in attempting to obtain health insurance, and to consider the impact these problems have for large employers and the communities they serve; to initiate regional demonstration projects to pilot innovative health care plans and products to address the problems identified, subject to the approval of the Comm'r of Insurance; to develop clear and substantive recommendations for actions that must be taken by specified interested groups to improve the availability and affordability of small employer health insurance coverage within the next 3 years; and to submit a report on its activities, including proposed legislation needed to carry out the act's purposes, to the 2005 General Assembly, Regular Session 2006. Specifies issues and strategies Comm'n is to consider in developing regional demonstration projects and other approaches to address the rising cost of health care.

Comm'r of Insurance is to review all pilot programs and innovative plans and products proposed by the Comm'n, and may approve them if Comm'r determines that they are in the interest of the citizens of NC and are not contrary to public policy. Comm'r may waive rules that would otherwise apply to the programs, plans, or products, allowing their implementation. Any such waivers expire 3 years from the date granted or Dec. 31, 2008, whichever occurs first.

Requires Comm'n to raise funds for its activities, and authorizes Dep't of Insurance, UNC-Charlotte, and other public and private entities to provide Comm'n with specified technical assistance and services. Specifies that nothing in act obligates General Assembly to appropriate funds for its implementation. Effective July 1, 2004.
Intro. by C. Wilson, LaRoque, Church, Allred, Bordsen, Daughtridge, Decker, Jones, Warner.
Ref. to Insurance STUDY

H 1464. SCHOOL CALENDAR CHANGES. *TO REDUCE THE NUMBER OF NONINSTRUCTIONAL TEACHER WORKDAYS; TO PROVIDE THAT PUBLIC SCHOOLS SHALL OPEN AFTER AUGUST 25 AND CLOSE NOT AFTER JUNE 10, EXCEPT IN UNUSUAL CIRCUMSTANCES OR IN YEAR-ROUND SCHOOLS; TO ENSURE THAT TEACHERS MAY BE PAID IN AUGUST IF THEY SO DESIRE; AND TO PROVIDE THAT SALARIES NOT DECREASE AS A RESULT OF THE REDUCTION IN TEACHER WORKLOADS.* Amends GS 115C-84.2, -302.1(b), and –316(a)(2) as title indicates. Requires that boards of education adopt a school calendar consisting of 210 days (was, 220). Reduces teacher workdays to five (was, eight) and requires that workdays be used for teachers to complete instructional and classroom duties only and that one be scheduled at beginning of school year and one at the end. Deletes provision allowing school administrative units to fix different opening and closing dates for schools. Makes technical changes. Effective July 1, 2004.
Intro. by C. Wilson, Culpepper, Miner, Hill, LaRoque, Church, Daughtridge, Decker, Jones.
Ref. to Commerce GS 115C

H 1465. ALLOW FAMILY BUSINESS TO LEASE FARMLAND. *TO ALLOW FARMLAND OWNED BY A FAMILY BUSINESS TO KEEP ITS PRESENT-USE VALUE TAX STATUS WHEN LEASED FOR FARM USE.* Amends GS 105-277.2(4)b. as title indicates. Effective for taxable years beginning on or after July 1, 2004.
Intro. by Brubaker, Luebke, G. Allen, Hill, McGee, Miner, Wainwright, Wood.
Ref. to Finance GS 105

H 1466. REPEAL MEDICAL COVERAGE POLICY APA EXEMPTION. *TO REPEAL THE DEPARTMENT OF HEALTH AND HUMAN SERVICES' EXEMPTION FROM THE RULE-MAKING REQUIREMENTS OF THE ADMINISTRATIVE PROCEDURE ACT WHEN ADOPTING NEW OR AMENDING EXISTING MEDICAL COVERAGE POLICIES UNDER THE STATE MEDICAID PROGRAM.* Amends SL 2001-424, sec. 21.20(a), as title indicates. Repeal applies retroactively to July 1, 2001.
Intro. by Brubaker.
Ref. to Appropriations UNCODIFIED

H 1467. STUDY MEDICAID COUNTY SHARE. *TO ESTABLISH THE JOINT LEGISLATIVE STUDY COMMISSION ON COUNTY MEDICAID COST-SHARING.* Establishes 12-member study commission as title indicates. The Speakers of the House shall appoint 6 members, 2 of whom shall be county commissioners, and the Pres. Pro Tem. of the Senate shall appoint 6 members, 2 of whom shall be county commissioners. The commission is directed to study county Medicaid cost-sharing and report its findings and recommendations to the 2006 session of the General Assembly.
Intro. by Nye.
Ref. to Rules STUDY

H 1468. DISEASE MGMT ACTIVITIES STATE HEALTH PLAN. *TO DIRECT THE EXECUTIVE ADMINISTRATOR OF THE TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN TO INITIATE OR CONTINUE CERTAIN DISEASE MANAGEMENT ACTIVITIES, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON THE RISING COST OF HEALTH CARE.* As title indicates, directs the Administrator to publicize performance measures linked to standardized health status indicators and use measures to justify enhanced reimbursements to providers, enhance efforts to manage disease claims by high-risk and potential high-risk Plan members, and develop incentives to encourage Plan members to participate in disease management programs.
Intro. by Nye, Bowie, Barbee, Justus.
Ref. to Health UNCODIFIED

H 1469. DHHS DISEASE MGMT ACTIVITIES. *TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO INITIATE OR CONTINUE CERTAIN DISEASE MANAGEMENT ACTIVITIES, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON THE RISING COST OF HEALTH CARE.* As title indicates, requires that Dep't of Health and Human Services require use of evidence-based practice standards and guidelines for Medicaid and NC Health Choice and consider developing a program of supplemental rebates for improvements to the State's Medicaid program. Further directs the Div'n of Medical Assistance to consider the following issues as it develops improvements to the state's Medicaid program: new disease management initiatives targeting certain listed health conditions and the development of use case management processes to improve access to community-based services; and to collaborate with state and local organizations. Requires that DHHS report on its progress to the House and Senate Appropriations Committees on Health and Human Services no later than March 1, 2005.
Intro. by Nye, Barbee, Justus, Insko.
Ref. to Health UNCODIFIED

H 1470. REPEAL SUNSET/LONG-TERM CARE INS. TAX CRED. (=S 1068). *TO REPEAL THE SUNSET ON THE LONG-TERM CARE INSURANCE TAX CREDIT, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON THE RISING COST OF HEALTH CARE.* Identical to S 1068, introduced 5/12/04.
Intro. by Nye, Clary, Blackwood, Goforth.
Ref. to Finance GS 105

H 1471. BAKERSVILLE DEANNEXATION. *TO DEANNEX TWO DESCRIBED PARCELS FROM THE CORPORATE LIMITS OF THE TOWN OF BAKERSVILLE.* As title indicates. Describes excluded parcels. Effective June 30, 2004.
Intro. by Frye.
Ref. to Finance MITCHELL

H 1472. CORNELIUS STREETS/SIDEWALKS. *TO ALLOW THE TOWN OF CORNELIUS TO PROVIDE FOR STREET OR SIDEWALK IMPROVEMENTS WITHOUT PETITION.* As title indicates.
Intro. by Rhodes.
Ref. to Rules MECKLENBURG

H 1473. PITT COUNTY 911 FUNDS. *EXPANDING PERMITTED USES OF 911 FUNDS IN PITT COUNTY.* Authorizes county to use funds to lease, purchase, or maintain emergency telephone equipment associated with receiving, processing, and dispatching emergency calls for police, fire, medical, rescue, or other public safety services. Effective July 1, 2004.
Intro. by McLawhorn.
Ref. to Public Utilities PITT

H 1474. YANCEY COUNTY CONSTRUCTION. *TO EXEMPT YANCEY COUNTY FROM THE PROVISIONS OF CHAPTER 143, ARTICLE 8 OF THE GENERAL STATUTES, FOR PURPOSES OF DEVELOPMENT OF A HEALTH CARE FACILITY IN A PUBLIC-PRIVATE INITIATIVE.* As title indicates.
Intro. by Rapp.
Ref. to Loc. Gov. II YANCEY

H 1475. BADIN SATELLITE ANNEXATION. *TO ANNEX THE ALBEMARLE CORRECTIONAL INSTITUTION TO THE TOWN OF BADIN.* As title indicates.
Intro. by Goodwin.
Ref. to Finance STANLY

H 1476. LRC STUDY HEALTH INSURANCE MANDATES. *TO EXTEND THE MORATORIUM ON HEALTH INSURANCE MANDATES TO JULY 1, 2006, AND TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY HEALTH INSURANCE MANDATES, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON THE RISING COST OF HEALTH CARE.* Extends to July 1, 2006, the expiration date of GS 58-50-63, which generally prohibits insurers from delivering, issuing, or renewing health insurance benefit plans after July 1, 2003, that include any additional coverage requirements beyond those in effect for such plans on June 30, 2003, except in cases where an employer elects to expand coverage. Authorizes cited study of health insurance mandated benefits and the cost to employers and individuals of unfunded health insurance mandates. In conducting the study, LRC is to consider cost-benefit analysis to determine the cost-efficiency of mandated benefits, including any such analysis performed by the Dep't of Insurance. LRC is also to consider how health insurance mandates improve patient care, how mandated preventive health services may be cost effective through early detection and treatment of disease, and whether health insurance mandates disproportionately impact small businesses through increased premium costs. LRC is to make a progress report to the 2005 General Assembly when it convenes, and is to make its final report to the 2005 General Assembly when it reconvenes. The reports may include recommended legislation.
Intro. by Owens, Bowie, Justus, Blackwood.
Ref. to Rules STUDY

H 1477. TRANSIT DRUG TEST (=S 1091). *TO REQUIRE PUBLIC TRANSIT OPERATORS AND OTHER EMPLOYEES TO REPORT TO THE DIVISION OF MOTOR VEHICLES THE NAME OF THE EMPLOYEE AND THE RESULTS OF ANY FEDERALLY REQUIRED AND TRANSPORTATION RELATED FAILED DRUG AND ALCOHOL TEST, AND TO REQUIRE THE DIVISION TO PROVIDE THE INFORMATION IT COLLECTS TO OTHER EMPLOYERS REQUIRED BY FEDERAL LAW TO TEST TRANSPORTATION RELATED EMPLOYEES.* Identical to S 1091, introduced 5/13/04.
Intro. by McComas.
Ref. to Transportation GS 20

H 1478. RETIREMENT/TEACHER EXCHANGE PROGRAMS. *TO MAKE A TECHNICAL CORRECTION TO THE LAW CLARIFYING THE STATUS OF TEACHERS PARTICIPATING IN FOREIGN EXCHANGE PROGRAMS*

FOR PURPOSES OF RETIREMENT AND TENURE. Amends GS 135-1(25) and GS 115C-325(a)(4b) as title indicates. Effective July 1, 2004.
Intro. by Hackney.
Ref. to Pensions & Retirement GS 135

H 1479. AMEND SEX OFFENDER REGISTRATION (=S 1048). *TO PROTECT NORTH CAROLINIANS BY AMENDING THE SEX OFFENDER REGISTRATION LAW TO PROVIDE ADDITIONAL NOTIFICATION MEASURES DESIGNED TO NOTIFY NEW RESIDENTS OF THE STATE WHO ARE SEX OFFENDERS OF THE DUTY TO REGISTER IN THIS STATE AND TO APPROPRIATE FUNDS TO IMPLEMENT THIS ACT.* Identical to S 1048, introduced 5/11/04.
Intro. by Weiss, Insko.
Ref. to Judiciary III GS 14, 20, APPROP

H 1480. "IN GOD WE TRUST" SPECIAL PLATES. *TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE AN "IN GOD WE TRUST" SPECIAL REGISTRATION PLATE WITH THE PROCEEDS GOING TO THE AUBREY MCLELLAN SOLDIER AND AIRMAN ASSISTANCE FUND FOR FAMILIES OF DEPLOYED NORTH CAROLINA NATIONAL GUARDSMEN.* Amends GS 20-63(b) and –79.7 as title indicates.
Intro. by C. Wilson, Hill, Brubaker, Wainwright.
Ref. to Finance GS 20

H 1481. TAX FORM DONATION FOR NATIONAL GUARD. *TO PROVIDE SPACE ON THE INCOME TAX RETURN FOR INDIVIDUALS TO MAKE DONATIONS TO THE AUBREY MCLELLAN SOLDIER AND AIRMAN ASSISTANCE FUND FOR FAMILIES OF DEPLOYED MEMBERS TO THE NORTH CAROLINA NATIONAL GUARD.* Enacts new GS 105-269.7 as title indicates. Effective for taxable years beginning on or after Jan. 1, 2004.
Intro. by C. Wilson.
Ref. to Rules GS 105

H 1482. INDIAN CULTURAL CENTER PAVING FUNDS. *TO APPROPRIATE FUNDS FOR THE PAVING OF ROADS AT THE INDIAN CULTURAL CENTER IN ROBESON COUNTY.* Appropriates $80,000 for 2004-2005 from General Fund to Dep't of Administration as title indicates. Effective July 1, 2004.
Intro. by Sutton.
Ref. to Appropriations APPROP

H 1483. "STRIKE AT THE WIND" FUNDS. *TO APPROPRIATE FUNDS FOR THE OUTDOOR DRAMA "STRIKE AT THE WIND" IN ROBESON COUNTY.* Appropriates $35,000 for 2004-2005 from General Fund to Dep't of Cultural Resources as title indicates. Effective July 1, 2004.
Intro. by Sutton.
Ref. to Appropriations APPROP

H 1484. CLEVELAND COUNTY BOARD OF EDUCATION ELECTIONS. *TO CLARIFY THE SCHEDULE FOR ELECTION OF THE MERGED SCHOOL BOARD FOR CLEVELAND COUNTY, AS RECOMMENDED BY THE STATE BOARD OF ELECTIONS.* As title indicates.
Intro. by Moore, Clary, England.
Ref. to Loc. Gov. I CLEVELAND

H 1485. COMMUNITY CARE OF NORTH CAROLINA FUNDS. *TO APPROPRIATE FUNDS TO EXPAND COMMUNITY CARE OF NORTH CAROLINA, THE MANAGED CARE PROGRAM IN MEDICAID THAT HAS A DISEASE MANAGEMENT COMPONENT, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON THE RISING COST OF HEALTH CARE.* Appropriates $3,108,000 for 2004-2005 from General Fund to Dep't of Health & Human Services as title indicates. Effective July 1, 2004.
Intro. by Nye, Barbee, Goforth, Jeffus.
Ref. to Appropriations APPROP

H 1486. ADULT DAY CARE RATE INCREASE. *TO APPROPRIATE FUNDS AND TO REQUIRE THE SOCIAL SERVICES COMMISSION TO ADOPT A RATE INCREASE FOR ADULT DAY SERVICES, AS RECOMMENDED BY THE NORTH CAROLINA STUDY COMMISSION ON AGING.* Appropriates from the General Fund to the Dep't of Health and Human Services an amount sufficient to increase the current minimum rates for adult day and

health services by no less than $5.00 per day and requires that the Social Services Comm'n adopt rules increasing minimum rates accordingly. Effective July 1, 2004.
Intro. by Clary, Nye, Weiss.
Ref. to Appropriations APPROP

H 1487. DHHS STUDY/MEDICAID INSTITUTIONAL BIAS. *TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO CONTRACT WITH A THIRD PARTY TO STUDY WHETHER AN INSTITUTIONAL BIAS EXISTS IN THE STATE'S MEDICAID PROGRAM, AS RECOMMENDED BY THE NORTH CAROLINA STUDY COMMISSION ON AGING.* As title indicates. Appropriates $150,000 for 2004-2005 from General Fund to Dep't of Health & Human Services to fund study. Effective July 1, 2004.
Intro. by Clary, Nye, Weiss.
Ref. to Health STUDY, APPROP

H 1488. SENIOR ADULT HOUSING FUNDS. *TO APPROPRIATE FUNDS FOR SENIOR ADULT HOUSING, AS RECOMMENDED BY THE NORTH CAROLINA STUDY COMMISSION ON AGING.* Appropriates $1 million for 2004-2005 from General Fund to Housing Finance Agency as title indicates. Effective July 1, 2004.
Intro. by Clary, Nye, Weiss, G. Wilson.
Ref. to Appropriations APPROP

H 1489. REPEAL SUNSET/LONG-TERM CARE INS. TAX CREDIT (=S 1068). *TO REPEAL THE SUNSET ON THE LONG-TERM CARE INSURANCE TAX CREDIT, AS RECOMMENDED BY THE NORTH CAROLINA STUDY COMMISSION ON AGING.* Identical to S 1068, introduced 5/13/04.
Intro. by Clary, Nye, Weiss.
Ref. to Finance GS 105

H 1490. STUDY MENTALLY ILL LTC RESIDENT ISSUES. *TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO STUDY ISSUES RELATED TO MENTALLY ILL RESIDENTS IN LONG-TERM CARE FACILITIES, AS RECOMMENDED BY THE NORTH CAROLINA STUDY COMMISSION ON AGING.* As title indicates. Requires that Dep't of Health and Human Services use up to $150,000 of its 2004-05 funds to contract for study. Further requires DHHS to reports its findings and recommendations to the NC Study Comm'n on Aging by Oct. 1, 2005.
Intro. by Clary, Nye, Weiss.
Ref. to Health STUDY

H 1491. AMEND SEX OFFENDER REGISTRATION (=S 1048). *TO PROTECT NORTH CAROLINIANS BY AMENDING THE SEX OFFENDER REGISTRATION LAW TO PROVIDE ADDITIONAL NOTIFICATION MEASURES DESIGNED TO NOTIFY NEW RESIDENTS OF THE STATE WHO ARE SEX OFFENDERS OF THE DUTY TO REGISTER IN THIS STATE AND TO APPROPRIATE FUNDS TO IMPLEMENT THIS ACT.* Identical to S 1048, introduced 5/11/04.
Intro. by LaRoque.
Ref. to Judiciary III GS 14, 20, APPROP

H 1492. IRC UPDATE (=H 1430). *TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE USED IN DEFINING AND DETERMINING CERTAIN STATE TAX PROVISIONS.* Identical to H 1430, introduced 5/13/04.
Intro. by Stiller, Owens, Bowie, Justus.
Ref. to Rules GS 105

H 1493. KIDS VOTING FUNDS. *TO APPROPRIATE FUNDS FOR THE KIDS VOTING NORTH CAROLINA PROGRAM.* Appropriates $315,000 to Kids Voting of North Carolina, Inc. for 2004-2005 from General Fund as title indicates. Effective July 1, 2004.
Intro. by Jeffus.
Ref. to Rules APPROP

H 1494. HIGH-RISK HEALTH INSURANCE STUDY (=H 1367). *TO ESTABLISH THE STUDY COMMITTEE ON HIGH-RISK HEALTH INSURANCE POOLS, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON THE RISING COST OF HEALTH CARE.* Identical to H 1367, introduced 5/11/04.
Intro. by Insko, Bowie, Justus, Allred.
Ref. to Rules STUDY

H 1495. CLAWBACK FAILED INCENTIVES. *TO PROVIDE FOR PUBLICATION, MONITORING, AND REPORTING ON ECONOMIC DEVELOPMENT INCENTIVE CLAWBACKS AND TO PROVIDE FOR FIRST SOURCE HIRING AGREEMENTS FOR INCENTIVE GRANTS AND LOANS.* Adds new GS 143B-435.1, to require Dep't of Commerce (Commerce) to catalog all "clawbacks" in state and federal programs it administers, whether provided by statute, rule, or under a contract. Defines "clawback" as a requirement that all or part of an economic development incentive will be returned if the recipient business does not fulfill its responsibilities under the incentive law, contract, or both. Catalog must include a description of each clawback, the program to which it applies, and a citation to its source; it must be published on Commerce's website and updated every six months. Commerce must report to the Revenue Laws Study Committee by April 1 and Oct. 1 annually on all clawbacks that have been triggered under programs that it administers and its progress on obtaining repayment; report must include business name, event that triggered clawback, and the amount to be repaid.
Adds new GS 143B-435.2 stipulating that a business must enter into a first source hiring contract to use the State Employment Security Comm'n and any cooperating local agency as its first source for recruitment and referral of applicants for new and replacement employment, in order to be eligible for an economic development grant or loan under GS Ch. 143B, Art. 10, or from the One North Carolina Industrial Recruitment Competitive Fund. Under the contract, the business must allow the agency three days to refer applicants, and must interview and consider qualified referrals before interviewing other candidates. (Three-day period may be waived in case of an emergency on request of the business.) Term of contract must be at least as long as the term of the grant or loan agreement under Art. 10. Sec'y of Commerce may waive this requirement for projects in enterprise tiers one and two and in areas of especially severe economic distress, as determined by the Sec'y. Appropriates $7,000 for 2004-2005 from General Fund to Dep't of Commerce to implement GS 143B-235.1 and 143B-235.2.
Amends GS 105-129.6(b) to add to the information that must be published by Dep't of Revenue annually under that statute, publication of (1) the number and amount of credits forfeited under GS 105-129.4(d) (forfeiture in specified cases of tax credits allowed under GS Ch. 105, Art. 3A, "Tax Incentives For Businesses"), and the reason for the forfeiture, and (2) the number and amount of assessments for credits erroneously claimed under Art. 3A that are not included in (1). Appropriates $7,000 for 2004-2005 from General Fund to Dep't of Revenue to implement provision.
Effective July 1, 2004.
Intro. by Luebke, Coates, Cole.
Ref. to Rules GS 143B, 105, APPROP

H 1496. PETITION TO DETERMINE NEED FOR RULE/APA (=S 1103). *TO AMEND THE ADMINISTRATIVE PROCEDURE ACT TO AUTHORIZE A PERSON TO PETITION AN AGENCY TO DETERMINE THE NEED FOR A RULE.* Identical to S 1103, introduced 5/17/04.
Intro. by C. Wilson.
Ref. to Rules GS 150B

CALENDAR ACTION
May 17, 2004

NOTES
1. Amendments and committee substitutes adopted today are summarized in the following section of today's Daily Bulletin.
2. The dates on which previous amendments or committee substitutes were adopted are listed below bill numbers.
3. The action "Cal Pursuant Rule 36b" indicates that the bill has been reported by committee and is awaiting calendaring by the Rules Committee.
4. Enacted bills are indicated by #, failed bills by *.

PUBLIC BILLS

S1042 MARRIAGE BY SUPERIOR/DISTRICT COURT S WITHDRAWN FROM CAL

	JUDGE.	S	RE-REF COMM ON RULES AND OPERATIONS OF THE SENATE
05-12-04			
S1095	CLARIFY FEE AUTHORITY OF MASSAGE THERAPY BD.	S	HELD AS FILED

LOCAL BILLS

S1126	FAYETTEVILLE ANNEXATION REFERENDUM.	S	HELD AS FILED

SUMMARIES OF AMENDMENTS AND COMMITTEE SUBSTITUTES

None

NEXT SESSIONS

May 18, 2004

HOUSE convenes at 3:00 p.m.

SENATE convenes at 3:00 p.m.

S41
2004/6

Daily Bulletin

ACTIONS BY THE NORTH CAROLINA GENERAL ASSEMBLY

Institute *of* Government—School of Government
The University of North Carolina at Chapel Hill
Legislative Reporting Service, Box 7294 State Legislative Building, Raleigh, NC 27601
Phone 919.733.2484 Fax 919.715.3464

House Legislative Day 109 Vol. 2004, No. 6 Senate Legislative Day 111

Tuesday, May 18, 2004

BILLS INTRODUCED TODAY

BILL #	SHORT TITLE	IDEN	COMMITTEE	GS INDEX OR COUNTIES AFFECTED
S 1127	INCORPORATE WALLBURG		FINANCE	DAVIDSON
S 1128	LOCKSMITH CRIMINAL HISTORY RECORD CHECK FEE		FINANCE	74F
S 1129	25TH SENATORIAL DISTRICT LOCAL ACT-1		RULES	ANSON, RICHMOND, SCOTLAND, STANLY
S 1130	25TH SENATORIAL DISTRICT LOCAL ACT-2		RULES	ANSON, RICHMOND, SCOTLAND, STANLY
S 1131	25TH SENATORIAL DISTRICT LOCAL ACT-3		RULES	ANSON, RICHMOND, SCOTLAND, STANLY
S 1132	EXEMPT BAKERY ITEMS FROM SALES TAX		FINANCE	105
S 1133	MISENHEIMER MUNICIPAL ELECTIONS		ST. GOV.	STANLY
S 1134	MODIFY APPROPRIATIONS ACT OF 2003-1		APPROPRIATIONS	APPROP
S 1135	MODIFY APPROPRIATIONS ACT OF 2003-2		APPROPRIATIONS	APPROP
S 1136	DURHAM PROTEST PETITION		ST. GOV.	DURHAM
S 1137	DAIRY FUNDS		RULES	APPROP
S 1138	APA TECHNICAL/CLARIFYING CHANGES	H 1449	JUDICIARY I	150B
S 1139	STANDARDS FOR REVIEW OF RULES BY RRC		JUDICIARY I	150B
S 1140	CITY OF ASHEVILLE LOCAL ACT-1		RULES	BUNCOMBE
S 1141	CITY OF ASHEVILLE LOCAL ACT-2		RULES	BUNCOMBE
S 1142	BUNCOMBE COUNTY LOCAL ACT-1		RULES	BUNCOMBE
S 1143	BUNCOMBE COUNTY LOCAL ACT-2		RULES	BUNCOMBE
S 1144	"IN GOD WE TRUST" SPECIAL PLATES	H 1480	FINANCE	20
S 1145	REVENUE LAWS TECHNICAL CHANGES		FINANCE	90, 105, 119, 120, 153A, 160A
S 1146	REPEAL SUNSET/LONG-TERM CARE INS. TAX CREDIT	H 1470	FINANCE	105
S 1147	SENIOR CENTER FUNDS		APPROPRIATIONS	APPROP
S 1148	CARE FOR THE MENTALLY ILL IN LTC FACILITIES		HEALTH	STUDY
S 1149	ADULT CAY CARE RATE INCREASE	H 1486	APPROPRIATIONS	APPROP
S 1150	STUDY MENTALLY ILL LTC RESIDENT ISSUES		HEALTH	STUDY, APPROP
S 1151	SENIOR ADULT HOUSING FUNDS		APPROPRIATIONS	APPROP
S 1152	LEGISLATIVE STUDY COMM./GUARDIANSHIP	H 1409	RULES	STUDY, APPROP
S 1153	HCCBG FUNDS	H 1408	APPROPRIATIONS	APPROP
S 1154	DHHS STUDY/MEDICAID INSTITUTIONAL BIAS	H 1487	HEALTH	STUDY, APPROP
S 1155	ROANOKE-CHOWAN COMMUNITY COLLEGE FUNDS		APPROPRIATIONS	APPROP
S 1156	ROANOKE-CHOWAN DRUG TASK FORCE FUNDS		APPROPRIATIONS	APPROP
H 1497	ADOPT FLAT FEE FOR DEBT COLLECTION		FINANCE	105A
H 1498	STUDY COMMITTEE ON HEALTH CARE WORKFORCE DEV.		HEALTH	STUDY
H 1499	RETIRED TEACHERS CHANGES		PENSIONS	115C, 135
H 1500	TEACHER TEST FLEXIBILITY		EDUCATION	115C
H 1501	FUNDS/FAMILIES OF DEAF/HARD OF HEARING		APPROPRIATIONS	APPROP
H 1502	CHARLOTTE TEACCH CENTER FUNDS		APPROPRIATIONS	APPROP
H 1503	CONFORMING CHANGES TO EMS ACT		APPROPRIATIONS	APPROP

N.C. DOCUMENTS CLEARINGHOUSE
JUN 0 2 2004

This publication is printed on permanent, acid-free paper in compliance with the North Carolina General Statutes.
Institute of Government—School of Government
The University of North Carolina at Chapel Hill

© 2004

STATE LIBRARY OF NORTH CAROLINA
RALEIGH

SUMMARIES OF BILLS INTRODUCED TODAY

SENATE BILLS

S 1127. INCORPORATE WALLBURG. *TO INCORPORATE THE TOWN OF WALLBURG.* Sets out town boundaries. Establishes 5-member town council and mayor. Requires election on question of whether the town shall be incorporated within 120 days after act becomes law.
Intro. by Bingham.
Ref. to Finance DAVIDSON

S 1128. LOCKSMITH CRIMINAL HISTORY RECORD CHECK FEE. *TO AUTHORIZE THE NORTH CAROLINA DEPARTMENT OF JUSTICE TO CHARGE EACH APPLICANT FOR A LOCKSMITH LICENSE OR AN APPRENTICE DESIGNATION A CRIMINAL HISTORY RECORD CHECK FEE.* Amends GS 74F-18(b) as title indicates.
Intro. by Purcell.
Ref. to Finance GS 74F

S 1129. 25TH SENATORIAL DISTRICT LOCAL ACT-1. *RELATING TO THE 25TH SENATORIAL DISTRICT.* Blank bill.
Intro. by Purcell.
Ref. to Rules ANSON, RICHMOND, SCOTLAND, STANLY

S 1130. 25TH SENATORIAL DISTRICT LOCAL ACT-2. *RELATING TO THE 25TH SENATORIAL DISTRICT.* Blank bill.
Intro. by Purcell.
Ref. to Rules ANSON, RICHMOND, SCOTLAND, STANLY

S 1131. 25TH SENATORIAL DISTRICT LOCAL ACT-3. *RELATING TO THE 25TH SENATORIAL DISTRICT.* Blank bill.
Intro. by Purcell.
Ref. to Rules ANSON, RICHMOND, SCOTLAND, STANLY

S 1132. EXEMPT BAKERY ITEMS FROM SALES TAX. *TO EXEMPT PREPARED BAKERY ITEMS FROM STATE SALES TAX WHEN SOLD WITHOUT EATING UTENSILS.* Enacts new GS 105-164.13B(c) as title indicates. Effective Jan. 1, 2005.
Intro. by Kinnaird.
Ref. to Finance GS 105

S 1133. MISENHEIMER MUNICIPAL ELECTIONS. *AMENDING THE CHARTER OF THE VILLAGE OF MISENHEIMER TO ALLOW FOR MUNICIPAL ELECTIONS IN ODD-NUMBERED YEARS.* As title indicates. Initial municipal election to be held in 2005; village council appointed in charter serves until the organizational meeting after that election. Makes conforming amendment to continue to provide for the establishment of four-year staggered terms.
Intro. by Purcell.
Ref. to St. Gov. STANLY

S 1134. MODIFY APPROPRIATIONS ACT OF 2003-1. *TO MODIFY THE CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 2003 AND TO MAKE OTHER CHANGES TO THE BUDGET OPERATIONS OF THE STATE.* Blank bill.
Intro. by Garrou, Dalton, Hagan.
Ref. to Appropriations APPROP

S 1135. MODIFY APPROPRIATIONS ACT OF 2003-2. *TO MODIFY THE CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 2003 AND TO MAKE OTHER CHANGES TO THE BUDGET OPERATIONS OF THE STATE.* Blank bill.
Intro. by Garrou, Dalton, Hagan.
Ref. to Appropriations APPROP

S 1136. DURHAM PROTEST PETITION. *TO CLARIFY THE AUTHORITY OF THE CITY OF DURHAM TO ADOPT ORDINANCES AND GUIDELINES CONCERNING PROTEST PETITIONS.* Adds new Sec. 94.5(b) to the Durham Charter, authorizing Durham to adopt ordinances and guidelines to implement the provisions of GS 160A-385 (zoning protests) and to allow proposed development plan rezoning to be treated in the same manner as proposed rezoning to special use or conditional use districts under GS 160A-385.
Intro. by Hunt.
Ref. to St. Gov. DURHAM

S 1137. DAIRY FUNDS. *TO APPROPRIATE FUNDS FOR THE CURRENT FISCAL YEAR.* Blank bill.
Intro. by Albertson.
Ref. to Rules APPROP

S 1138. APA TECHNICAL/CLARIFYING CHANGES (=H 1449). *TO MAKE TECHNICAL AND CLARIFYING CHANGES TO THE ADMINISTRATIVE PROCEDURE ACT.* Identical to H 1449, introduced 5/17/04.
Intro. by Nesbitt.
Ref. to Judiciary I GS 150B

S 1139. STANDARDS FOR REVIEW OF RULES BY RRC. *TO AMEND THE ADMINISTRATIVE PROCEDURE ACT TO CREATE A DISTINCTION BETWEEN THE STANDARD FOR REVIEW OF THE ADOPTION OF RULES AND THE STANDARD FOR REVIEW OF THE CONTENT OF RULES TO BE USED BY THE RULES REVIEW COMMISSION IN REVIEWING TEMPORARY AND PERMANENT RULES AND TO MAKE OTHER CONFORMING CHANGES.* Repeals GS 150B-21.9 (standards and timetable for review by Commission) and replaces it with new GS 150B-21.9A as title indicates. Provides that Comm'n shall first review rule to determine if it was adopted in accordance with Part 2 of Art. 2A and return rule to agency if it was not. If rule was adopted in accordance with Part 2, Comm'n shall then apply following standards set forth in former GS 150B-21.9(a)(1)-(3): determine if rule is within the agency's authority, is clear and unambiguous, and is reasonably necessary to implement an enactment of the General Assembly or Congress or a regulation of a federal agency. Also adds provision specifically prohibiting Comm'n from considering the means by which the agency has chosen to execute its statutory authority. Incorporates provisions of GS 150B-21.9 concerning fiscal notes and timetables into new GS 150B-21.9A(c) and (d).

Renumbers GS 150B-21.11 and adds new sub sec.-21.11(c), providing that entry of a rule in the NC Administrative Code after Comm'n review creates a rebuttable presumption that the rule is adopted in accordance with Part 2. Further amends GS 150B-21.2(a) by requiring that in objecting to a permanent rule the Comm'n must identify each provision of the rule that fails to satisfy the content standards set forth above. Makes technical and conforming changes. Applies to temporary and permanent rules adopted on or after Oct. 1, 2004.
Intro. by Nesbitt.
Ref. to Judiciary I GS 150B

S 1140. CITY OF ASHEVILLE LOCAL ACT-1. *RELATING TO THE CITY OF ASHEVILLE.* Blank bill.
Intro. by Nesbitt.
Ref. to Rules BUNCOMBE

S 1141. CITY OF ASHEVILLE LOCAL ACT-2. *RELATING TO THE CITY OF ASHEVILLE.* Blank bill.
Intro. by Nesbitt.
Ref. to Rules BUNCOMBE

S 1142. BUNCOMBE COUNTY LOCAL ACT-1. *RELATING TO THE COUNTY OF BUNCOMBE.* Blank bill.
Intro. by Nesbitt.
Ref. to Rules BUNCOMBE

S 1143. BUNCOMBE COUNTY LOCAL ACT-2. *RELATING TO THE COUNTY OF BUNCOMBE.* Blank bill.
Intro. by Nesbitt.
Ref. to Rules BUNCOMBE

S 1144. "IN GOD WE TRUST" SPECIAL PLATES (=H 1480). *TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE AN "IN GOD WE TRUST" SPECIAL REGISTRATION PLATE WITH THE PROCEEDS GOING TO THE AUBREY MCLELLAN SOLDIER AND AIRMAN ASSISTANCE FUND FOR FAMILIES OF DEPLOYED NORTH CAROLINA NATIONAL GUARDSMEN.* Identical to H 1480, introduced 5/17/04.
Intro. by Thomas, Apodaca, Holloman.
Ref. to Finance GS 20

S 1145. REVENUE LAWS TECHNICAL CHANGES. *TO MAKE TECHNICAL AND CONFORMING CHANGES TO THE REVENUE LAWS AND RELATED STATUTES.* Makes various amendments as title indicates and also makes the following changes. Effective Aug. 12, 2003, renacts the amendments to GS 96-9(b)(3)j, enacted by SL 2003-405 (an act to delay reinstatement of the twenty percent unemployment insurance surtax). Effective July 1, 2005, amends GS 105-32.2 to provide that the maximum credit for state death taxes allowed under sec. 2011 of the IRC is without regard to the deduction for state death taxes allowed under sec. 2058 of the IRC. Amends GS 105-113.5 to delete the exemption from the cigarette tax for sample cigarettes distributed without charge and for cigarettes in a package given without charge by the manufacturer to an employee who works in a factory where cigarettes are made. Amends GS 105-129.6(b) to require the Dep't of Revenue to publish certain information under the Bill Lee Act by April 1 (now, March 1) of each year. Amends GS 105-164.3(28) (sales tax definitions) to make clear that prepared food does not include food the retailer did not heat, mix, or sell with eating utensils. Amends GS 105-449.60(7) (gasoline and diesel tax definitions) to provide that the term "diesel fuel" includes fuel oil, heating oil, and high-sulfur dyed diesel fuel. Amends GS 120-70.108(a) to provide that the Revenue Laws Study Committee shall establish a Property Tax Subcommittee of up to 8 (now, 6) members. Effective Oct. 1, 2004, amends GS 153A-155(d) and GS 160A-215(d) to provide that occupancy tax returns shall be filed with the taxing local government by the 20th (now, 15th) of each month.
Intro. by Hartsell, Clodfelter, Kerr, Dalton, Hoyle, Webster.
Ref. to Finance GS 96, 105, 119, 120, 153A, 160A

S 1146. REPEAL SUNSET/LONG-TERM CARE INS. TAX CREDIT (=H 1470). *TO REPEAL THE SUNSET ON THE LONG-TERM CARE INSURANCE TAX CREDIT, AS RECOMMENDED BY THE NORTH CAROLINA STUDY COMMISSION ON AGING.* Identical to H 1470, introduced 5/17/04.
Intro. by Swindell, Allran, Dannelly, Moore, Queen.
Ref. to Finance GS 105

S 1147. SENIOR CENTER FUNDS. *TO APPROPRIATE FUNDS FOR SENIOR CENTER DEVELOPMENT AND OUTREACH, AS RECOMMENDED BY THE NORTH CAROLINA STUDY COMMISSION ON AGING.* Appropriates $281,000 for 2004-2005 from General Fund to DHHS, Div'n on Aging, as title indicates. Effective July 1, 2004.
Intro. by Swindell, Allran, Dannelly, Moore, Queen.
Ref. to Appropriations APPROP

S 1148. CARE FOR THE MENTALLY ILL IN LTC FACILITIES. *TO PROVIDE SUPPORT AND TRAINING FOR LONG-TERM CARE PROVIDERS CARING FOR RESIDENTS WITH MENTAL ILLNESSES, AS RECOMMENDED BY THE NORTH CAROLINA STUDY COMMISSION ON AGING.* Directs Dep't of Health and Human Services to study expanding the mission of the Geriatric Mental Health Specialty Teams to assist long-term care facilities in serving all residents who are within the targeted populations, as identified in the State Plan developed pursuant to GS 122C-102. Dep't to make its final report to the NC Study Comm'n on Aging by Oct. 30, 2005.

Intro. by Swindell, Allran, Dannelly, Moore, Queen.
Ref. to Health STUDY

S 1149. ADULT DAY CARE RATE INCREASE (=H 1486). *TO APPROPRIATE FUNDS AND TO REQUIRE THE SOCIAL SERVICES COMMISSION TO ADOPT A RATE INCREASE FOR ADULT DAY SERVICES, AS RECOMMENDED BY THE NORTH CAROLINA STUDY COMMISSION ON AGING.* Identical to H 1486, introduced 5/17/04.
Intro. by Swindell, Allran, Dannelly, Moore, Queen.
Ref. to Appropriations APPROP

S 1150. STUDY MENTALLY ILL LTC RESIDENT ISSUES. *TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO STUDY ISSUES RELATED TO MENTALLY ILL RESIDENTS IN LONG-TERM CARE FACILITIES, AS RECOMMENDED BY THE NORTH CAROLINA STUDY COMMISSION ON AGING.* As title indicates. Appropriates from General Fund to DHHS $150,000 for 2004-05 for the study. Dep't to make its report to the NC Study Comm'n on Aging by Oct. 1, 2005.
Intro. by Swindell, Allran, Dannelly, Moore, Queen.
Ref. to Health STUDY, APPROP

S 1151. SENIOR ADULT HOUSING FUNDS. *TO APPROPRIATE FUNDS FOR SENIOR ADULT HOUSING, AS RECOMMENDED BY THE NORTH CAROLINA STUDY COMMISSION ON AGING.* Appropriates $1 million for 2004-2005 from General Fund to Housing Finance Agency as title indicates, to provide independent housing with services. Effective July 1, 2004.
Intro. by Swindell, Allran, Dannelly, Moore, Queen.
Ref. to Appropriations APPROP

S 1152. LEGISLATIVE STUDY COMM./GUARDIANSHIP (=H 1409). *TO ESTABLISH THE LEGISLATIVE STUDY COMMISSION ON STATE GUARDIANSHIP LAWS, AS RECOMMENDED BY THE NORTH CAROLINA STUDY COMMISSION ON AGING.* Identical to H 1409, introduced 5/12/04.
Intro. by Swindell, Allran, Dannelly, Moore, Queen.
Ref. to Rules STUDY, APPROP

S 1153. HCCBG FUNDS (=H 1408). *TO APPROPRIATE FUNDS FOR THE HOME AND COMMUNITY CARE BLOCK GRANT, AS RECOMMENDED BY THE NORTH CAROLINA STUDY COMMISSION ON AGING.* Identical to H 1408, introduced 5/12/04.
Intro. by Swindell, Allran, Dannelly, Moore, Queen.
Ref. to Appropriations APPROP

S 1154. DHHS STUDY/MEDICAID INSTITUTIONAL BIAS (=H 1487). *TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO CONTRACT WITH A THIRD PARTY TO STUDY WHETHER AN INSTITUTIONAL BIAS EXISTS IN THE STATE'S MEDICAID PROGRAM, AS RECOMMENDED BY THE NORTH CAROLINA STUDY COMMISSION ON AGING.* Identical to H 1487, introduced 5/17/04.
Intro. by Swindell, Allran, Dannelly, Moore, Queen.
Ref. to Health STUDY, APPROP

S 1155. ROANOKE-CHOWAN COMMUNITY COLLEGE FUNDS. *TO APPROPRIATE FUNDS TO OFFSET MAINTENANCE OF PLANT COSTS AT ROANOKE-CHOWAN COMMUNITY COLLEGE.* Appropriates $100,000 for 2004-2005 from General Fund to Community Colleges System Office as title indicates. Effective July 1, 2004.
Intro. by Holloman.
Ref. to Appropriations APPROP

S 1156. ROANOKE-CHOWAN DRUG TASK FORCE FUNDS. *TO APPROPRIATE FUNDS TO THE DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY FOR THE ROANOKE-CHOWAN DRUG TASK FORCE.* Appropriates $120,000 for 2004-2005 from General Fund to Dep't of Crime Control & Public Safety as title indicates. Effective July 1, 2004.
Intro. by Holloman.
Ref. to Appropriations APPROP

HOUSE BILLS

H 1497. ADOPT FLAT FEE FOR DEBT COLLECTION. *TO ADOPT A FLAT COLLECTION ASSISTANCE FEE UNDER THE SETOFF DEBT COLLECTION ACT.* Amends GS 105A-13(a) as title indicates to establish a flat fee of $5 (now, no more the $15). Effective Oct. 1, 2004.
Intro. by Wainwright, Luebke, Miner, G. Allen, Brubaker, Hill, McGee, Wood.
Ref. to Finance GS 105A

H 1498. STUDY COMMITTEE ON HEALTH CARE WORKFORCE DEV. *TO ESTABLISH THE HEALTH CARE WORKFORCE DEVELOPMENT STUDY COMMISSION.* As title indicates, establishes 16-member Comm'n, four members to be appointed by the Governor, six by the Speakers, and six by the Pres. Pro Tem. Directs the Comm'n to study methods of increasing the number of health and dental care providers in state, with a particular emphasis on ways to increase educational opportunities for those interested in pursuing health care occupations. Requires that Comm'n submit final report to 2006 Regular Session of General Assembly and terminates Comm'n upon the filing of its final report or April 30, 2006, whichever is earlier. Effective July 1, 2004.
Intro. by Tolson, Goforth, Allred, Bell.
Ref. to Health STUDY

H 1499. RETIRED TEACHERS CHANGES. *TO IMPLEMENT THE RECOMMENDATION OF THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO MODIFY AND EXTEND THE PROVISION THAT PERMITS RETIRED TEACHERS TO RETURN TO THE CLASSROOM WITHOUT A LOSS OF RETIREMENT BENEFITS.* Amends GS 135-3(8)c., by providing that in addition to teachers, guidance counselors and media coordinators who are retired at least six months and then return to public school employment shall not lose retirement benefits as a result of that employment. Amends various session laws to extend expiration date of this provision to June 30, 2010 (was, June 30, 2004). Makes conforming changes to 115C-325(a)(5a) and 115C-316(d). Effective July 1, 2004.
Intro. by Yongue, Warner, Bell, Gorman, Insko, Pate, Sauls, Tolson.
Ref. to Pensions GS 115C, 135

H 1500. TEACHER TEST FLEXIBILITY. *TO IMPLEMENT THE RECOMMENDATION OF THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO AUTHORIZE THE STATE BOARD OF EDUCATION TO DETERMINE WHICH APPLICANTS FOR TEACHING POSITIONS ARE REQUIRED TO DEMONSTRATE PREPARATION ON A STANDARD EXAMINATION.* Amends GS 115C-296(a) and GS 115C-296(a1) to provide as title indicates, so that State Board of Education may make the standard examination for an initial teacher's certificate optional. Makes conforming change to GS 115C-296.1(c) concerning re-employment of teachers initially employed under GS 115C-296.1(a)(2)b and (a)(2)c (employment of persons with higher education or other experience as teachers due to teacher shortage). Effective when it becomes law; amendment to GS 115C-296.1(c) expires Sept. 1, 2006.
Intro. by Yongue, Warner, Bell, Gorman, Pate, Sauls, Tolson.
Ref. to Education GS 115C

H 1501. FUNDS/FAMILIES OF DEAF/HARD OF HEARING. *TO APPROPRIATE FUNDS FOR BEGINNINGS FOR PARENTS OF CHILDREN WHO ARE DEAF OR HARD OF HEARING, INC.* Appropriates $163,800 for 2004-2005 from General Fund to DHHS, Office of Education Services, to be allocated to cited organization to provide for family support services for families with deaf or hard of hearing children aged birth to 21 years. Effective July 1, 2004.
Intro. by Nye.
Ref. to Appropriations APPROP

H 1502. CHARLOTTE TEACCH CENTER FUNDS. *TO APPROPRIATE FUNDS FOR THE CHARLOTTE TEACCH CENTER, A REGIONAL CENTER SUPERVISED BY THE DIVISION TEACCH PROGRAM AT THE SCHOOL OF MEDICINE OF THE UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL.* Appropriates $50,000 for 2004-2005 from General Fund to UNC Board of Governors as title indicates. Effective July 1, 2004.
Intro. by Nye.
Ref. to Appropriations APPROP

H 1503. CONFORMING CHANGES TO EMS ACT. *TO APPROPRIATE FUNDS TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO IMPLEMENT TECHNICAL AND CONFORMING CHANGES TO THE EMERGENCY MEDICAL SERVICES ACT.* Appropriates $50,000 for 2004-2005 from General Fund to Dep't of Health & Human Services as title indicates. Effective July 1, 2004.
Intro. by Wright.
Ref. to Appropriations APPROP

CALENDAR ACTION
May 18, 2004

NOTES
1. Amendments and committee substitutes adopted today are summarized in the following section of today's Daily Bulletin.
2. The dates on which previous amendments or committee substitutes were adopted are listed below bill numbers.
3. The action "Cal Pursuant Rule 36b" indicates that the bill has been reported by committee and is awaiting calendaring by the Rules Committee.
4. Enacted bills are indicated by #, failed bills by *.

PUBLIC BILLS

H1357 FIRE AND RESCUE PENSION INCREASE.	H	WITHDRAWN FROM COMM
	H	RE-REF COM ON PENSIONS AND RETIREMENT
H1411 HATTERAS VILLAGE/TEMP. UNVEGETATED BEACH AREA.	H	CONCURRED IN S/COM SUB
05-12-04, 05-13-04		
H1492 IRC UPDATE.	H	WITHDRAWN FROM COMM
	H	RE-REF COM ON FINANCE
H1493 KIDS VOTING FUNDS.	H	WITHDRAWN FROM COMM
	H	RE-REF COM ON APPROPRIATIONS
S0623 DOWNTOWN ADULT RESIDENTIAL FACILITY	H	PASSED 2ND & 3RD READING
	S	REC TO CONCUR H COM SUB
	S	PASSED 2ND & 3RD
04-24-03, 05-13-04		
S1098 FINANCE CANCER CENTER & CARDIO INSTITUTE.	S	REPTD FAV
	S	RE-REF COM ON APPROPRIATIONS/ BASE BUDGET
	S	AMEND #1 FAILED
	S	PASSED 2ND READING

SUMMARIES OF AMENDMENTS AND COMMITTEE SUBSTITUTES

None

NEXT SESSIONS

May 19, 2004

HOUSE convenes at 3:00 p.m.

SENATE convenes at 3:00 p.m.

41
2004/7

Daily Bulletin

ACTIONS BY THE NORTH CAROLINA GENERAL ASSEMBLY

Institute *of* Government—School of Government
The University of North Carolina at Chapel Hill
Legislative Reporting Service, Box 7294 State Legislative Building, Raleigh, NC 27601
Phone 919.733.2484 Fax 919.715.3464

House Legislative Day 110 Vol. 2004, No. 7 Senate Legislative Day 112

Wednesday, May 19, 2004

BILLS INTRODUCED TODAY

BILL #	SHORT TITLE	IDEN	COMMITTEE	GS INDEX OR COUNTIES AFFECTED
S 1157	MILITARY BASE SUPPORT	S 871	FINANCE	105, 136
S 1158	MILITARY BASE LAND PRESERVATION FUND		APPROPRIATIONS	113, APPROP
S 1159	MILITARY AFFAIRS COMM. MEMBERSHIP		ST. GOV.	127C
S 1160	IN-STATE TUITION FOR MILITARY RESERVISTS		EDUCATION	116
S 1161	MILITARY PLANNING NOTICES		ST. GOV.	153A, 160A
S 1162	FUNDS FOR WIC FARMERS' MARKET PROGRAM		APPROPRIATIONS	APPROP
S 1163	RECIPROCITY/OPTIONAL RETIREMENT SYSTEM		PENSIONS	135
S 1164	TANF BLOCK GRANT FUNDS/BOYS & GIRLS CLUB	H 1312	APPROPRIATIONS	APPROP
S 1165	36TH SENATORIAL DISTRICT LOCAL ACT		RULES	CABARRUS, ROWAN
S 1166	CABARRUS COUNTY LOCAL ACT		RULES	CABARRUS
S 1167	CONDO AND PLANNED COMM. CLARIFICATIONS		JUDICIARY II	47C, 47F
S 1168	STUDY SMART START FUNDING		APPROPRIATIONS	STUDY
S 1169	EMERGENCY FUNDING FOR ONE NC & NEIT	H 1352	APPROPRIATIONS	APPROP
S 1170	KIDS VOTING FUNDS	H 1493	APPROPRIATIONS	APPROP
S 1171	MOTOR FUELS TAX CHANGES		FINANCE	20, 105, 119
S 1172	BAN PIGEON SHOOTS	H 1531	AGRICULTURE	14, 19A
S 1173	CABARRUS MEMORIAL HOSPITAL ADVANCED DEGREES	H 1509	EDUCATIONS	CABARRUS
S 1174	STREAM CLEANUP FUNDS FOR NORTHEAST N.C.		APPROPRIATIONS	APPROP
S 1175	SMALL URBAN CONTINGENCY FUNDS		APPROPRIATIONS	APPROP
S 1176	WINDOWS ON THE WORLD TECHNOLOGY CENTER FUNDS		APPROPRIATIONS	APPROP
S 1177	RANDLEMAN SATELLITE ANNEXATIONS	H 1520	FINANCE	RANDOLPH
H 1504	CONSTRUCTION OF PRISON IN COLUMBUS COUNTY		RULES	UNCODIFIED
H 1505	STUDY POSTRETIREMENT EARNINGS LIMITATIONS		RULES	STUDY
H 1506	ROWLAND RURAL FIRE DEPT. FUNDS		APPROPRIATIONS	LOCAL APPROP
H 1507	ROBESON AFRICAN-AMERICAN CULTURAL CTR FUNDS		APPROPRIATIONS	LOCAL APPROP
H 1508	CONCORD/KANNAPOLIS BOUNDARIES ADJUSTED	S 1096	FINANCE	CABARRUS, ROWAN
H 1509	CABARRUS MEMORIAL HOSPITAL ADVANCED DEGREES		HEALTH	CABARRUS
H 1510	METH PRECURSORS/INCREASE CRIM PENALTY		JUDICIARY IV	90
H 1511	CLARIFY J/N STATE COUNCIL DUTIES		JUDICIARY IV	143B
H 1512	AMEND 2ND DEGREE MURDER/METH OVERDOSE		JUDICIARY IV	14
H 1513	INCREASE LOCAL GOV'T DEATH BENEFIT		PENSIONS	128
H 1514	STATE RETIREMENT COLA		PENSIONS	135
H 1515	UNC & COMM COLL TUITION/MILITARY STUDENTS	S 1058	RULES	116

N.C. DOCUMENTS CLEARINGHOUSE
JUN 02 2004
STATE LIBRARY OF NORTH CAROLINA
RALEIGH

This publication is printed on permanent, acid-free paper in compliance with the North Carolina General Statutes.
Institute of Government—School of Government
The University of North Carolina at Chapel Hill

© 2004

H 1516	SECURITY OF STATE RETIREMENT SYSTEM		PENSIONS	135
H 1517	AMEND MOTORCYCLE HELMET LAW		RULES	20
H 1518	REQUIRE PAYMENT OF RESTITUTION FOR EXPUNCTION		JUDICIARY IV	15A
H 1519	CRIME VICTIM FINANCIAL RECOVERY ASSIST. ACT		JUDICIARY IV	15B
H 1520	GASTON TEMPORARY SALES TAX REFERENDUM		FINANCE	GASTON
H 1521	PHASE II STORMWATER FOR SMALL MUNICIPALITIES		ENVIRONMENT	143
H 1522	ADULT CARE HOMES CRIMINAL RECORDS CHECK/PILOT		JUDICIARY I	GS 131D, 131E, STUDY, APPROP
H 1523	CRIMINAL BACKG. CHECKS—LONG-TERM CARE		JUDICIARY I	114, 131D, 131E, APPROP
H 1524	CHILD WELFARE COLLABORATIVE FUNDS		APPROPRIATIONS	APPROP
H 1525	CHILD CARE SUBSIDY FUNDS		APPROPRIATIONS	APPROP
H 1526	RANDLEMAN SATELLITE ANNEXATIONS		FINANCE	RANDOLPH
H 1527	UNC/CAP OUT-OF-STATE STUDENTS		RULES	116, APPROP
H 1528	LATIN AMERICAN RESOURCE CENTER FUNDS		APPROPRIATIONS	APPROP
H 1529	MOORE SCHOOL BUSES/2005 US OPEN		RULES	MOORE
H 1530	CONDO AND PLANNED COMM. CLARIFICATIONS	S 1167	JUDICIARY IV	47C, 47F
H 1531	BAN PIGEON SHOOTS		JUDICIARY IV	14, 19A
H 1532	2004 TECHNICAL CORRECTIONS ACT		RULES	14, 20, 49, 55B, 58, 105, 136, 143, 160A, 162A, 78A, 90, 96, 110, 113, 143, 147, 163, 160A
H 1533	CLOSING THE EQUITY GAP/INCREASE HOMEOWNERSHIP	S 1097	APPROPRIATIONS	147, APPROP
H 1534	EXPAND CHADBOURN ETJ		LOC. GOV. II	COLUMBUS
H 1535	MARINE CORPS MUSEUM FUNDS	S 1045	APPROPRIATIONS	APPROP

SUMMARIES OF BILLS INTRODUCED TODAY

SENATE BILLS

S 1157. MILITARY BASE SUPPORT (=S 871). *TO WAIVE AN AMOUNT EQUAL TO ONE-THIRD OF THE FUEL TAX COLLECTED ON MILITARY INSTALLATIONS EACH YEAR TO ENABLE THE ARMED FORCES TO IMPROVE QUALITY-OF-LIFE PROGRAMS FOR MILITARY MEMBERS AND THEIR FAMILIES IN NORTH CAROLINA.* Identical to S 871, introduced 4/3/03, except that effective date is July 1, 2005.
Intro. by Hargett.
Ref. to Finance GS 105, 136

S 1158. MILITARY BASE LAND PRESERVATION FUND. *TO CREATE A MILITARY BASE LAND PRESERVATION FUND AND TO APPROPRIATE FUNDS TO PROTECT LANDS AROUND MILITARY BASES.* Adds new GS Ch. 113, Art. 5B, establishing cited non-reverting Fund in the State Treasurer's Office. Establishes 13-member Board of Directors to authorize expenditures from Fund. Governor appoints four at-large members, all to have specified type of knowledge; Senate appoints four Senators on recommendation of the President Pro Tempore; and House appoints four Representatives on recommendation of the Speakers. Thirteenth member is Sec'y of Administration, who serves as chair.

At least once a year, NC Advisory Comm'n on Military Affairs is to recommend and provide specified information to the Board about any fee simple absolute, easement, or other property interests to be acquired with Fund monies. Authorizes Board to acquire any interest in real property that will prevent the encroachment of development near military installations or would enhance the military's ability to conduct training or operations; that will reduce the impact of noise on North Carolina's citizens, or that will enhance citizens' safety. Board may also authorize expenditure of funds to assist other public and private organizations to acquire interests in real property for these purposes.

Provides for the conveyance and holding of title and for certain state-local and state-non-profit management agreements and leases for the management of land acquired under act. Twice a year, Sec'y of Administration is to furnish a list of all expenditures and acquisitions made pursuant to act, with specified information about each tract of land, to each Board member, to the Joint Legislative Comm'n on Governmental Operations, to the Fiscal Research Div'n, and to the NC Advisory Comm'n on Military Affairs. List is to be furnished within 30 days after it is revised.

Appropriates $5,000,000 for 2004-2005 from General Fund to Dep't of the State Treasurer for the Fund. Effective July 1, 2004.
Intro. by Hargett.
Ref. to Appropriations GS 113, APPROP

S 1159. MILITARY AFFAIRS COMM. MEMBERSHIP. *TO MODIFY THE MEMBERSHIP OF THE ADVISORY COMMISSION ON MILITARY AFFAIRS.* Adds six new ex officio members to Comm'n, and specifies that all ex officio Comm'n members may use a designee to serve in their place (currently, only the Sec'y's of Crime Control and Public Safety and of Commerce may send a designee). The new members are the Lieutenant Governor, the Sec'y of Transportation, the Sec'y of the Dep't of Environment and Natural Resources, the Executive Directors of the NC League of Municipalities and Ass'n of County Commissioners, and the Assistant Sec'y for Veterans Affairs, Dep't of Administration.
Intro. by Hargett.
Ref. to St. Gov. GS 127C

S 1160. IN-STATE TUITION FOR MILITARY RESERVISTS. *TO AUTHORIZE IN-STATE TUITION FOR MEMBERS OF THE RESERVE COMPONENTS WHO ARE ASSIGNED TO UNITS LOCATED IN NORTH CAROLINA.* Enacts new GS 116-143.1(h1) to provide that members of an NC National Guard Unit or of a Reserve Component Unit based in NC who are nonresidents and are in a reserve or active duty status shall be charged in-state tuition. Effective July 1, 2004.
Intro. by Hargett.
Ref. to Education GS 116

S 1161. MILITARY PLANNING NOTICES. *TO REQUIRE COUNTIES AND CITIES NEAR MILITARY INSTALLATIONS TO GIVE NOTICE OF LAND-USE PLANNING CHANGES TO THE MILITARY INSTALLATIONS.* Enacts new GS 153A-323(b) and 160A-364(b), as title indicates. Requires that counties and cities notify military of changes at least 30 days prior to public hearing and consider comments from military before making final decision. Effective July 1, 2004.
Intro. by Hargett.
Ref. to St. Gov. GS 153A, 160A

S 1162. FUNDS FOR WIC FARMERS' MARKET PROGRAM. *TO APPROPRIATE FUNDS TO REINSTATE THE WIC FARMERS' MARKET PROGRAM IN THE DEPARTMENT OF HEALTH AND HUMAN SERVICES.* Appropriates $156,630 for 2004-2005 from General Fund to Dep't of Health & Human Services as title indicates. Effective July 1, 2004.
Intro. by Hargett.
Ref. to Appropriations APPROP

S 1163. RECIPROCITY/OPTIONAL RETIREMENT SYSTEM. *TO PROVIDE FOR RECIPROCITY BETWEEN THE OPTIONAL RETIREMENT PROGRAM FOR STATE INSTITUTIONS OF HIGHER EDUCATION AND THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM.* As title indicates amends GS 135-4A to include the Optional Retirement Program in the reciprocity provisions of that section.
Intro. by Stevens.
Ref. to Pensions GS 135

S 1164. TANF BLOCK GRANT FUNDS/BOYS & GIRLS CLUB (=H 1392). *TO APPROPRIATE FEDERAL FUNDS UNDER THE TANF BLOCK GRANT FOR BOYS AND GIRLS CLUBS.* Identical to H 1392, introduced 5/12/04.
Intro. by Hoyle.
Ref. to Appropriations APPROP

S 1165. 36TH SENATORIAL DISTRICT LOCAL ACT. *RELATING TO THE 36TH SENATORIAL DISTRICT.* Blank bill.
Intro. by Hartsell.
Ref. to Rules CABARRUS, ROWAN

S 1166. CABARRUS COUNTY LOCAL ACT. *RELATING TO THE COUNTY OF CABARRUS.* Blank bill.
Intro. by Hartsell.
Ref. to Rules CABARRUS

S 1167. CONDO AND PLANNED COMM. CLARIFICATIONS. *TO CLARIFY THE LAWS ON THE POWERS OF CONDOMINIUM UNIT OWNERS' ASSOCIATIONS AND PLANNED COMMUNITY OWNERS ASSOCIATIONS AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.* Amends GS 47C-1-102(a), part of NC Condominium Act, to specify that certain named statutes apply to all condominiums created in NC on or before Oct. 1, 1986, unless the declaration expressly provides to the contrary (underlined provision added). Adds same proviso to the list of unit owners' association powers in GS 47C-3-102(a). Makes same type of amendments to the similar statutes in NC Planned Community Act (GS 47F-1-102(c) and 47F-3-102). That is, listed statutes apply to planned communities created in N.C. before Jan. 1, 1999, and lot owners' association has listed powers, unless the articles of incorporation or the declaration expressly provides to the contrary (underlined provision added).
Intro. by Hartsell.
Ref. to Judiciary II GS 47C

S 1168. STUDY SMART START FUNDING. *AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE FUNDING OF THE NORTH CAROLINA PARTNERSHIP FOR CHILDREN, INC.* As title indicates.
Intro. by Hagan.
Ref. to Appropriations STUDY

S 1169. EMERGENCY FUNDING FOR ONE NC & NEIT (=H 1352). *TO PROVIDE EMERGENCY FUNDING FOR THE ONE NORTH CAROLINA FUND AND THE NEW AND EXPANDING INDUSTRY TRAINING PROGRAM.* Identical to H 1352, introduced 5/10/04.
Intro. by Dalton.
Ref. to Appropriations APPROP

S 1170. KIDS VOTING FUNDS (=H 1493). *TO APPROPRIATE FUNDS FOR THE KIDS VOTING NORTH CAROLINA PROGRAM.* Identical to H 1493, introduced 5/17/04.
Intro. by Rand.
Ref. to Appropriations APPROP

S 1171. MOTOR FUELS TAX CHANGES. *TO MODIFY THE TAXATION OF MOTOR FUELS, TO ALLOW THE SECRETARY OF REVENUE TO APPOINT EMPLOYEES OF THE MOTOR FUELS TAX DIVISION AS REVENUE LAW ENFORCEMENT OFFICERS; AND TO TRANSFER THE AUDIT FUNCTION FOR THE INTERNATIONAL REGISTRATION PLAN TO THE DEPARTMENT OF REVENUE FROM THE DIVISION OF MOTOR VEHICLES.* Effective Jan. 1, 2005, amends GS 105-236(2) to provide that in cases in which the taxpayer fails to obtain a license as required under GS 105-449.65 or 105-449.131, the Sec'y may assess a penalty of $1,000. Amends GS 105-236.1(a) to authorize the Sec'y to appoint employees as revenue law enforcement officers. Effective July 1, 2004, amends GS 105-449.46 to authorize inspection of records related to the registration fee imposed by GS Ch. 20, Art. 3. Effective Jan 1, 2005, GS 105-449.95 (quarterly hold harmless for licensed distributors and some license importers) is repealed and new GS 105-449.115(g) is enacted to provide that the Sec'y may assess a civil penalty of $5,000 against a terminal operator for issuing a shipping document that does not satisfy the requirements of subsection (b) (required contents of shipping documents). Amends GS 119-15 to add definitions of dyed diesel fuel and dyed diesel fuel distributor and adds new GS 119-15.1(a)(4) to require a dyed diesel fuel distributor to obtain a license from the Sec'y. Effective July 1, 2004, amends GS 20-91 to transfer the audit function for the international registration plan to the Dep't of Revenue from DMV.
Intro. by Kerr, Clodfelter, Dalton, Hartsell, Hoyle, Webster.
Ref. to Finance GS 20, 105, 119

S 1172. BAN PIGEON SHOOTS (=H 1531). *TO BAN PIGEON SHOOTS, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.* Identical to H 1531, introduced 5/19/04.
Intro. by Hartsell.
Ref. to Agriculture GS 14, 19A

S 1173. CABARRUS MEMORIAL HOSPITAL ADVANCED DEGREES (=H 1509). *TO PROVIDE THAT CABARRUS MEMORIAL HOSPITAL MAY AWARD ADVANCED DEGREES TO GRADUATES OF ITS NURSING AND ALLIED HEALTH SCIENCES PROGRAMS AS APPROPRIATE.* Identical to H 1509, introduced 5/19/04.
Intro. by Hartsell.
Ref. to Education CABARRUS

S 1174. STREAM CLEANUP FUNDS FOR NORTHEAST N.C. *TO APPROPRIATE FUNDS FOR THE REMOVAL OF DEBRIS THAT WAS CAUSED BY HURRICANE ISABEL AND THAT IS BLOCKING STREAMS IN NORTHEASTERN NORTH CAROLINA.* Appropriates $3,370,302 for 2004-2005 from General Fund to Dep't of Environment & Natural Resources for Hurricane Isabel emergency stream cleanup as title indicates. Provides for cleanup of streams and other drainage systems in Beaufort, Bertie, Camden, Chowan, Currituck, Gates, Hertford, Hyde, Martin, Northampton, Pasquotank, Perquimans, Tyrrell, and Washington counties. Effective July 1, 2004.
Intro. by Jenkins.
Ref. to Appropriations APPROP

S 1175. SMALL URBAN CONTINGENCY FUNDS. *TO PROVIDE FOR SMALL URBAN CONTINGENCY FUNDS.* Allocates $28,000,000 in 2004-2005 of funds appropriated to DOT in Current Operations and Capital Improvements Appropriations Act of 2004 for small urban construction projects. Funds are to be divided equally among the 14 highway divisions for the small urban construction program for small projects located within the area covered by a two-mile radius of the municipal corporate limits.

Allocates $15,000,000 in 2004-2005 of funds appropriated to DOT in 2004 Act to be used statewide for rural or small urban highway improvements and related transportation enhancements to public roads and public facilities, industrial access roads, and spot safety projects. Specifies that none of the allocated funds are subject to GS 136-44.7, concerning annual work program for secondary roads, and that none of the funds used for rural secondary road construction are subject to the county allocation formulas in GS 136-44.5(b) and (c).

Requires DOT to report to members of the General Assembly on projects funded pursuant to act in each member's district prior to the Board of Transportation's action. DOT is to make a quarterly comprehensive report on the use of funds to the Joint Legislative Transportation Oversight Committee and the Fiscal Research Div'n. Repeals provision in 2003 appropriations act covering same topic (SL 2003-284, Sec. 29.2). Effective July 1, 2004.
Intro. by Jenkins.
Ref. to Appropriations APPROP

S 1176. WINDOWS ON THE WORLD TECHNOLOGY CENTER FUNDS. *TO APPROPRIATE FUNDS FOR THE WINDOWS ON THE WORLD TECHNOLOGY CENTER.* Appropriates $50,000 for 2004-2005 from General Fund to Windows on the World E-Community Development Corporation as title indicates. Effective July 1, 2004.
Intro. by Jenkins.
Ref. to Appropriations APPROP

S 1177. RANDLEMAN SATELLITE ANNEXATIONS (=H 1520). *CONCERNING VOLUNTARY SATELLITE ANNEXATIONS BY THE CITY OF RANDLEMAN.* Identical to H 1520, introduced 5/19/04.
Intro. by Tillman.
Ref. to Finance RANDOLPH

HOUSE BILLS

H 1504. CONSTRUCTION OF PRISON IN COLUMBUS COUNTY. *TO PROVIDE THAT THE COLUMBUS COUNTY PRISON BE CONSTRUCTED IN ACCORDANCE WITH THE SAME NORTH CAROLINA STATE BUILDING CODE UNDER WHICH THE PRISONS IN SCOTLAND, ANSON, ALEXANDER, GREENE, AND BERTIE COUNTIES WERE CONSTRUCTED.* Requires that the Columbus County prison be constructed in accordance with NC State Building Code, 1996 Edition through 1999 revisions, if construction starts before July 1, 2005, and construction documents have been approved by the Dep'ts of Insurance and Correction and the State Construction Office. Effective July 1, 2004.
Intro. by Hill.
Ref. to Rules UNCODIFIED

H 1505. STUDY POSTRETIREMENT EARNINGS LIMITATIONS. *TO ESTABLISH THE LEGISLATIVE STUDY COMMISSION ON POSTRETIREMENT EARNINGS AND RETENTION INCENTIVES FOR TEACHERS AND STATE EMPLOYEES.* Establishes 10-member Comm'n as title indicates, five members appointed by the Pres. Pro Tem. and five appointed by the Speaker. Comm'n shall submit final report on or before convening of 2005 General Assembly.
Intro. by Rapp.
Ref. to Rules STUDY

H 1506. ROWLAND RURAL FIRE DEPT. FUNDS. *TO APPROPRIATE FUNDS FOR THE ROWLAND FIRE DEPARTMENT.* Appropriates $1,000,000 for 2004-2005 from General Fund to Rowland Rural Fire Dep't, Inc. as title indicates. Effective July 1, 2004.
Intro. by Bonner.
Ref. to Appropriations LOCAL APPROP

H 1507. ROBESON AFRICAN-AMERICAN CULTURAL CTR FUNDS. *TO APPROPRIATE FUNDS FOR THE ROBESON COUNTY AFRICAN-AMERICAN CULTURAL CENTER.* Appropriates $1,000,000 for 2004-2005 from General Fund to African-American Cultural Center as title indicates. Effective July 1, 2004.
Intro. by Bonner.
Ref. to Appropriations LOCAL APPROP

H 1508. CONCORD/KANNAPOLIS BOUNDARIES ADJUSTED (=S 1096). *TO ADJUST THE BOUNDARIES BETWEEN THE CITIES OF CONCORD AND KANNAPOLIS AS MUTUALLY AGREED UPON.* Identical to S 1096, introduced 5/17/04.
Intro. by Barnhart, L. Johnson.
Ref. to Finance CABARRUS, ROWAN

H 1509. CABARRUS MEMORIAL HOSPITAL ADVANCED DEGREES. *TO PROVIDE THAT CABARRUS MEMORIAL HOSPITAL MAY AWARD ADVANCED DEGREES TO GRADUATES OF ITS NURSING AND ALLIED HEALTH SCIENCES PROGRAMS AS APPROPRIATE.* As title indicates.
Intro. by Barnhart, L. Johnson.
Ref. to Health CABARRUS

H 1510. METH PRECURSORS/INCREASE CRIM. PENALTY. *TO INCREASE THE CRIMINAL PENALTY FOR THE POSSESSION OF PRECURSOR SUBSTANCES FOR METHAMPHETAMINE AS RECOMMENDED BY THE JOINT LEGISLATIVE CORRECTIONS, CRIME CONTROL, AND JUVENILE JUSTICE OVERSIGHT COMMITTEE.* Substantially identical to S 1054, introduced 5/12/04, except omits amendments to GS 14-17 (making distribution resulting in death second degree murder), 15A-1340.16(d) (making manufacture of drug in presence of children an aggravating factor), and 90-95(b) (increasing penalty for manufacture).
Intro. by Kiser, Haire.
Ref. to Judiciary IV GS 90

H 1511. CLARIFY J/N STATE COUNCIL DUTIES. *TO CLARIFY THE DUTIES OF THE STATE ADVISORY COUNCIL ON JUVENILE JUSTICE AND DELINQUENCY PREVENTION, AS RECOMMENDED BY THE JOINT LEGISLATIVE CORRECTIONS, CRIME CONTROL, AND JUVENILE JUSTICE OVERSIGHT COMMITTEE.* As title indicates, amends GS 143B-557(1) to delete provision requiring that Council advise Dep't of Juvenile Justice as to the development of community juvenile justice councils.
Intro. by Kiser, Haire.
Ref. to Judiciary IV GS 143B

H 1512. AMEND 2ND DEGREE MURDER/METH OVERDOSE. *TO PROVIDE THAT THE UNLAWFUL DISTRIBUTION OF METHAMPHETAMINE THAT PROXIMATELY RESULTS IN THE DEATH OF A PERSON IS SECOND DEGREE MURDER AS RECOMMENDED BY THE JOINT LEGISLATIVE CORRECTIONS, CRIME CONTROL, AND JUVENILE JUSTICE OVERSIGHT COMMITTEE.* Identical to amendment to GS 14-17 contained in S 1054, introduced 05/12/04.
Intro. by Kiser, Haire.
Ref. to Judiciary IV GS 14

H 1513. INCREASE LOCAL GOV'T DEATH BENEFIT. *TO INCREASE THE MAXIMUM DEATH BENEFIT PAYABLE FROM THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM.* Amends GS 128-27(l) as title indicates to increase the maximum benefit from $20,000 to $25,000, effective July 1, 2004.
Intro. by Bell, G. Wilson.
Ref. to Pensions GS 128

H 1514. STATE RETIREMENT COLA. *TO PROVIDE A COST-OF-LIVING ADJUSTMENT FOR RETIREES IN THE TEACHERS' AND STATE EMPLOYEE'S RETIREMENT SYSTEM.* Enacts new GS 135-5(mmm) as title indicates to provide a 2.50% COLA. Effective July 1, 2004.
Intro. by Bell, G. Wilson, Hackney.
Ref. to Pensions GS 135

H 1515. UNC & COMM. COLL. TUITION/MILITARY STUDENTS (=S 1058). *TO PROVIDE THAT A MEMBER OF THE MILITARY OR A DEPENDENT RELATIVE OF A MEMBER OF THE MILITARY WHO ATTENDS A CONSTITUENT UNIVERSITY OR A COMMUNITY COLLEGE SHALL BE CHARGED ONLY THE IN-STATE TUITION RATE.* Identical to S 1058, introduced 5/13/04.
Intro. by Dickson, Glazier.
Ref. to Rules GS 116

H 1516. SECURITY OF STATE RETIREMENT SYSTEM. *TO PROVIDE FOR THE CONTINUED FINANCIAL SECURITY OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM.* Enacts new GS 135-8.1 to require that each biennial budget enacted by the General Assembly shall appropriate funds to the Retirement System in an amount sufficient to cover the sum of the following as determined annually by the Board of Trustees: (1) the normal employer contribution rate; and (2) the accrued liability contribution rate, if any. The appropriation shall be paid monthly as a percentage of compensation of members and shall be credited to the pension accumulation fund established in GS 135-8(a). Effective July 1, 2004.
Intro. by Frye.
Ref. to Pensions GS 135

H 1517. AMEND MOTORCYCLE HELMET LAW. *TO MODIFY THE REQUIREMENT FOR THE USE OF HELMETS BY OPERATORS AND PASSENGERS ON MOTORCYCLES AND TO ADJUST THE FEE ON PRIVATE MOTORCYCLE REGISTRATIONS IN ORDER TO PROVIDE ADDITIONAL FUNDS FOR THE MOTORCYCLE SAFETY PROGRAM, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON MOTORCYCLE HELMET LAWS.* Amends GS 20-140.4 by reorganizing sec. and providing that a person over 21 years old may operate a motorcycle without a helmet if operator: (1) held a motorcycle license or endorsement prior to Oct. 1, 2003; or (2) is licensed for more than 12 months; successfully completes the Motorcycle Safety Instruction Program or equivalent; and maintains at least $10,000 in insurance covering medical injuries. Also permits passengers to ride a motorcycle without a helmet under the same circumstances but requires that all passengers have $10,000 in insurance. Repeals GS 20-87(6) and replaces it with new GS 20-87(13), which increases base registration fee for private passenger motorcycles to $14 (was, $9) and for a motorcycle equipped with additional transport device to $21 (was, $16). Eliminates additional $3 fee appropriated to Motorcycle Safety Instruction Program and provides instead that $5 of base fee shall be used to fund program. Effective Oct. 1, 2004.
Intro. by Sauls, K. Williams.
Ref. to Rules GS 20

H 1518. REQUIRE PAYMENT OF RESTITUTION FOR EXPUNCTION. *REQUIRING A PERSON TO PAY ANY OUTSTANDING RESTITUTION ORDERS PRIOR TO THE EXPUNCTION OF THE PERSON'S CRIMINAL RECORD.* Amends GS 15A-145, dealing with expunction of records for specified misdemeanor first offenders under 18 and 21 years of age at the time of conviction, to require the petition for expunction to contain an affidavit that no restitution orders or civil judgments for amounts ordered for restitution entered against petitioner are outstanding. Specifies that court must find that there are no such outstanding orders or judgments as one of the requirements to restore the person's prior legal status. Effective July 1, 2004; applies to petitions for expunction filed on or after that date.
Intro. by Eddins, Holliman, B. Allen, Gillespie, Harrell, Justus, Pate, A. Williams, K. Williams.
Ref. to Judiciary IV GS 15A

H 1519. CRIME VICTIM FINANCIAL RECOVERY ASSIST. ACT. *TO PREVENT CRIMINALS FROM PROFITING FROM THEIR CRIMES AND TO BETTER ENABLE CRIME VICTIMS TO SATISFY RESTITUTION ORDERS AND CIVIL JUDGMENTS ENTERED AGAINST THEIR OFFENDERS FROM THE OFFENDERS' ASSETS, WHICH MAY INCLUDE THE PROFIT FROM CRIME.* Adds new GS Ch. 15B, Art. 2, "The Crime Victim Financial Recovery Assistance Act." Requires every person or legal entity that knowingly contracts for, pays, or agrees to pay to a person who has been convicted of a felony or that person's legal representative or assignee ("offender") more than $10,000 in "profit from crime" or "funds of an offender" to provide a copy of or the terms of the contract

to the Crime Victims Compensation Comm'n ("Comm'n") established under GS 15B-3. Written notice to Comm'n is also required by the state or subdivision of the state, whenever the payment or obligation to pay involves over $10,000 in funds of an offender that local or state officials are receiving and depositing in an inmate's account, or whenever the state or a state subdivision has an obligation to pay over $10,000 in funds of an offender. Offender must give Comm'n written notice in all other cases where the payment or obligation to pay involves funds of an offender valued at over $10,000. Any action taken by offender to defeat act's purpose is void as against state's public policy.

"Profit from crime" is any income, assets, or property obtained through or generated from the commission of a crime for which the offender was convicted, including income, assets, or property generated from the sale of crime memorabilia, or obtained through the use of unique knowledge obtained during the commission of, or in preparation for the commission of, the crime. Also includes any gain from the sale, conversion, or exchange of the income, assets, or property. Does not include voluntary donations or contributions used to assist in the appeal of a conviction, so long as they were not given in exchange for something of material value.

"Funds of an offender" are all funds and property received from any source by an offender, except child support and earned income. Includes funds deposited in an inmate or prisoner's account to their credit.

Once Comm'n receives one of the notices specified above, it is to notify as specified all known "eligible persons," including victims of the crime, their surviving spouses, parents, and children, and any other persons dependent for their principal support on a deceased crime victim. Provides for penalties for failure to notify Comm'n by anyone other than gov'ts and gov't officials.

Authorizes eligible persons, as defined above, to sue to recover money damages from an offender. Suit must be brought within three years of the discovery of any profit from crime or funds of an offender. Comm'n must be notified of suit as specified in act; Comm'n then gives notice as specified to all other known eligible persons and gives notice by publication at least once every six months for three years. Comm'n may take various types of actions to avoid wasting of the assets. Judgment in civil action may not be enforced against the first $1,000 in inmate's or prisoner's account, nor, in a civil action involving funds of an offender that the offender recovered pursuant to a judgment in a civil action, against the first 10 percent of any compensatory damages awarded to the offender in that action.

Claims under act are subject to subrogation by the Crime Victims Compensation Fund pursuant to GS 15B-18. Profits from crime that are subject to a provisional remedy on behalf of eligible persons must be returned to the rightful owner, if the conviction for the offense from which profit from crime was realized is reversed, vacated, or set aside, or if the offender has been granted an unconditional pardon.

Contains severability clause. Effective when it becomes law, and applies to contracts for profit from crime entered into on or after that date or funds of an offender that have accrued on or after that date.

Intro. by Eddins, Hollimān, B. Allen, Gillespie, Harrell, Justus, Pate, A. Williams, K. Williams.

Ref. to Judiciary IV GS 15B

H 1520. GASTON TEMPORARY SALES TAX REFERENDUM. *TO AUTHORIZE GASTON COUNTY TO LEVY A TEMPORARY HALF CENT LOCAL SALES TAX FOR ECONOMIC DEVELOPMENT AND TOURISM PROJECTS, IF APPROVED BY THE VOTERS OF THE COUNTY.* As title indicates. Authorizes board of commissioners to call for a referendum on the question on Nov. 2, 2004. Provides for distribution of stated percentages of the tax revenue to the county's 14 municipalities and directs that the funds be used for economic development projects or tourism projects only. Tax expires 8 years after the effective date of its levy.

Intro. by Clary, Rayfield.

Ref. to Finance GASTON

H 1521. PHASE II STORMWATER FOR SMALL MUNICIPALITIES. *TO REQUIRE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO COMPLETE STORMWATER CONTROL PROGRAMS REQUIRED UNDER THE PHASE II STORMWATER RULES FOR MUNICIPALITIES WITH A POPULATION OF TWO THOUSAND OR LESS, AS RECOMMENDED BY THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE.* Enacts new GS 143-214.7(c1) as title indicates. Makes conforming changes.

Intro. by Eddins.

Ref. to Environment GS 143

H 1522. ADULT CARE HOMES CRIMINAL RECORDS CHECK/PILOT. *TO ESTABLISH A PILOT PROGRAM TO CONDUCT NATIONAL CRIMINAL HISTORY RECORD CHECKS OF PERSONS SEEKING EMPLOYMENT TO PROVIDE DIRECT CARE IN ADULT CARE HOMES AND CONTRACT AGENCIES OF ADULT CARE HOMES, AND TO MAKE CONFORMING CHANGES, AS RECOMMENDED BY THE NORTH CAROLINA*

STUDY COMMISSION ON AGING. Requires that Dep't of Health and Human Services establish a pilot program as title indicates, and appropriates $150,000 for 2004-2005 from General Fund to Dep't of Health & Human Services to implement program. Pilot progam requires the submission of criminal history record checks and criminal histories to DHHS and establishes procedures for DHHS's consideration of that information, including the circumstances that would disqualify applicants from employment. Requires that DHHS report on the progress of program to the House and Senate Appropriations Subcommittees on Health and Human Services and the NC Study Comm'n on Aging on or before Jan. 15, 2005. Amends SL 2003-284, Sec. 10.8E, to change effective date of certain criminal history record check requirements of GS 131E-265 and 131D-2 to July 1, 2005 (was, Jan. 1, 2005), except for those positions involving direct patient care. Effective July 1, 2004.
Intro. by Weiss.
Ref. to Judiciary I GS 131D, 131E, STUDY, APPROP

H 1523. CRIMINAL BACKG. CHECKS - LONG-TERM CARE. *TO PROVIDE FOR THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO REVIEW CRIMINAL HISTORY RECORD CHECKS TO DETERMINE IF PERSONS EMPLOYED IN OR SEEKING EMPLOYMENT IN NURSING HOMES AND ADULT CARE HOMES ARE FIT TO BE RESPONSIBLE FOR THE SAFETY AND WELL-BEING OF AGED OR DISABLED PERSONS RESIDING IN THE HOMES; AND TO PROVIDE THAT INDIVIDUALS DETERMINED TO BE UNFIT TO BE RESPONSIBLE FOR THE SAFETY AND WELL-BEING OF AGED OR DISABLED INDIVIDUALS RESIDING IN NURSING HOMES OR ADULT CARE HOMES MAY NOT BE EMPLOYED BY THE NURSING HOMES OR ADULT CARE HOME; AND TO APPROPRIATE FUNDS TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO REVIEW CRIMINAL HISTORY RECORD CHECKS TO DETERMINE FITNESS FOR EMPLOYMENT IN NURSING HOMES AND ADULT CARE HOMES.* Amends GS 131D-40 and GS 131E-265 as title indicates and appropriates $133,328 for 2004-2005 from General Fund to DHHS, Div'n of Facility Services. Amends both sections to provide that an applicant is unfit for employment if convicted of certain listed offenses within ten years prior to the date of application. Further provides that employer may hire applicants convicted of listed offenses which occurred 10 or more years prior to application upon consideration of several factors, including the seriousness of the crime, the age of person at conviction, and any subsequent convictions. Further amends both sections to require that applicants be provided with the following notice at the time of application: "Mandatory Criminal History Check North Carolina Law Requires That A Criminal History Check Be Conducted On All Persons Who Provide Care To Residents of Adult Care Homes And Who Are Not Required To Have An Occupational License To Provide That Care." Amends GS 114-19.10 to require that for national checks, criminal histories be provided to DHHS Appropriation effective July 1, 2004, all other sections effective Jan. 1, 2004.
Intro. by Weiss, Insko, Earle.
Ref. to Judiciary I GS 114, 131D, 131E, APPROP

H 1524. CHILD WELFARE COLLABORATIVE FUNDS. *TO APPROPRIATE FUNDS FOR THE CHILD WELFARE COLLABORATIVE.* Appropriates $2,800,000 for 2004-2005 from General Fund to Dep't of Health & Human Services as title indicates. Purpose of Collaborative is to expand social work programs in higher education in order to increase the number of persons holding bachelors and masters of social work degrees working in child protective services in local social services departments. Effective July 1, 2004.
Intro. by Weiss, Moore.
Ref. to Appropriations APPROP

H 1525. CHILD CARE SUBSIDY FUNDS. *TO APPROPRIATE FUNDS FOR CHILD CARE SUBSIDIES.* Appropriates $15,000,000 for 2004-2005 from General Fund to Dep't of Health & Human Services as title indicates. Effective July 1, 2004.
Intro. by Moore, Weiss.
Ref. to Appropriations APPROP

H 1526. RANDLEMAN SATELLITE ANNEXATIONS. *CONCERNING VOLUNTARY SATELLITE ANNEXATIONS BY THE CITY OF RANDLEMAN.* Amends SL 2002-121, sec. 1, to add Randleman to the list of cities to which GS 160A-58.1(b)(5) (standards for noncontiguous annexation) does not apply.
Intro. by Culp.
Ref. to Finance RANDOLPH

H 1527. UNC/CAP OUT-OF-STATE STUDENTS. *TO LIMIT OUT-OF-STATE UNDERGRADUATE ENROLLMENT AT EACH CONSTITUENT INSTITUTION EXCEPT THE NORTH CAROLINA SCHOOL OF THE ARTS TO EIGHTEEN PERCENT OF THE ENTERING FRESHMAN CLASS AT THE INSTITUTION AND TO*

APPROPRIATE FUNDS TO ASSIST IN IMPLEMENTING THE ACT. As title indicates. Adds new GS 116-40.7 to specify that any UNC constituent institution except the School of the Arts that exceeds the 18 percent limitation for two consecutive fiscal years is to have its state operating budget reduced in the second fiscal year. Reduction is to be made on a nonrecurring basis immediately after the UNC Board of Governors approves the annual enrollment report at its Nov. meeting. Reduction is to be based on the number of out-of-state freshmen enrolled in excess of the 18 percent limitation and the established method used for calculating the operating requirements for regular term enrollment changes.

Requires Board of Governors to report to the Joint Legislative Education Oversight Committee by Dec. 1 each year on the out-of-state enrollment at each constituent institution. Appropriates $5,000 for 2004-2005 from General Fund to Board of Governors, The University of North Carolina, to assist with the cost of collecting the information required to be reported to the Oversight Committee.

Makes conforming change in GS 116-11(8). Appropriation becomes effective July 1, 2004. Remainder of act is effective when it becomes law.

Intro. by B. Allen.

Ref. to Rules GS 116, APPROP

H 1528. LATIN AMERICAN RESOURCE CENTER FUNDS. *TO APPROPRIATE FUNDS FOR THE LATIN AMERICAN RESOURCE CENTER.* Appropriates $125,000 for 2004-2005 from General Fund to Latin American Resource Center to operate Center's programs and the DIALOGO-CONEXION programs. Effective July 1, 2004.

Intro. by B. Allen, Ross.

Ref. to Appropriations APPROP

H 1529. MOORE SCHOOL BUSES/2005 US OPEN. *TO ALLOW THE MOORE COUNTY BOARD OF EDUCATION TO PERMIT THE USE OF PUBLIC SCHOOL ACTIVITY BUSES TO SERVE THE TRANSPORTATION NEEDS OF THE U.S. OPEN GOLF TOURNAMENT.* As title indicates.

Intro. by Culpepper.

Ref. to Rules MOORE

H 1530. CONDO AND PLANNED COMM. CLARIFICATIONS (=S 1167). *TO CLARIFY THE LAWS ON THE POWERS OF CONDOMINIUM UNIT OWNERS' ASSOCIATIONS AND PLANNED COMMUNITY OWNERS' ASSOCIATIONS AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.* Identical to S 1167, introduced 5/19/04.

Intro. by Culpepper.

Ref. to Judiciary IV GS 47C

H 1531. BAN PIGEON SHOOTS. *TO BAN PIGEON SHOOTS, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.* Adds new GS 14-361.2 making it a Class 1 misdemeanor to instigate, promote, conduct, be employed at, allow property under one's ownership or control to be used for, participate as a shooter at, or profit from, an event involving the release of any pigeon for the purpose of shooting the pigeon. In deciding whether to impose a fine, court is to take into account any financial benefit received or anticipated by the person. Court is to impose a fine for a second or subsequent conviction of at least three times any fine imposed for one's most recent conviction under section, notwithstanding the misdemeanor punishment provisions in GS 15A-1340.23. Amends definition of "cruelty" and "cruel treatment" in GS 19A-1, part of GS Ch. 19A, Art. 1, Civil Remedy for Protection of Animals, to include acts that violate GS 14-361.2, notwithstanding exemptions in GS 19A-1.1. Effective Oct. 1, 2004, except that no person is to be prosecuted under GS 14-361.2 for any act that occurred prior to Dec. 1, 2004.

Intro. by Culpepper.

Ref. to Judiciary IV GS 14, 19A

H 1532. 2004 TECHNICAL CORRECTIONS ACT. *TO MAKE TECHNICAL CORRECTIONS AND CONFORMING CHANGES TO THE GENERAL STATUES AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.* Identical to Part I of the 3rd ed of H 281 (Senate Committee Substitute, adopted 7/15/03).

Intro. by Culpepper.

Ref. to Rules GS 14, 20, 49, 55B, 58, 105, 136, 143, 160A, 162A, 78A, 90, 96, 110, 113, 143, 147, 163, 160A

H 1533. CLOSING THE EQUITY GAP/INCREASE HOMEOWNERSHIP (=S 1097). *TO INCREASE HOMEOWNERSHIP IN NORTH CAROLINA BY DEVELOPING A PUBLIC EDUCATION CAMPAIGN REGARDING HOMEOWNERSHIP PROGRAMS AND THE BENEFITS OF HOMEOWNERSHIP, TO PROVIDE BETTER HOME BUYER PREPARATION AND CONSUMER CREDIT COUNSELING, TO CREATE REGIONAL COALITIONS TO IDENTIFY AND REDUCE BARRIERS TO HOMEOWNERSHIP, AND TO APPROPRIATE FUNDS TO ESTABLISH THOSE PROGRAMS.* Identical to S 1097, introduced 5/17/04.
Intro. by Goforth, Rapp, Brubaker.
Ref. to Appropriations GS 147, APPROP

H 1534. EXPAND CHADBOURN ETJ. *ALLOWING THE TOWN OF CHADBOURN TO EXTEND ITS EXTRATERRITORIAL PLANNING JURISDICTION UP TO TWO MILES OUTSIDE ITS CORPORATE LIMITS.* As title indicates.
Intro. by Hill.
Ref. to Loc. Gov. II COLUMBUS

H 1535. MARINE CORPS MUSEUM FUNDS (=S 1045). *TO APPROPRIATE FUNDS TO THE MARINE CORPS MUSEUM OF THE CAROLINAS.* Identical to S 1045, introduced 5/11/04.
Intro. by K. Williams, Preston, Grady.
Ref. to Appropriations APPROP

CALENDAR ACTION
May 19, 2004

NOTES
1. Amendments and committee substitutes adopted today are summarized in the following section of today's Daily Bulletin.
2. The dates on which previous amendments or committee substitutes were adopted are listed below bill numbers
3. The action "Cal Pursuant Rule 36b" indicates that the bill has been reported by committee and is awaiting calendaring by the Rules Committee.
4. Enacted bills are indicated by #, failed bills by *.

PUBLIC BILLS

H0854 NO ABORTIONS UNDER STATE HEALTH PLAN.	H	WITHDRAWN FROM COMM
	H	RE-REF COM ON RULES, CALENDAR, AND OPERATIONS OF THE HOUSE
H1098 HEALTH CARE FUNDAMENTAL RIGHT.	H	WITHDRAWN FROM COMM
	H	RE-REF COM ON HEALTH
H1352 EMERGENCY FUNDING FOR ONE NC & NEIT.	HA	REPTD FAV COM SUBSTITUTE
	H	CAL PURSUANT RULE 36(B)
05-19-04		
H1411 HATTERAS VILLAGE/TEMP. UNVEGETATED BEACH AREA.	H	RATIFIED
05-12-04, 05-13-04		
S0486 AMBER ALERT.	H	WITHDRAWN FROM COMM
	H	RE-REF COM ON INSURANCE
04-14-03		
S0623 DOWNTOWN ADULT RESIDENTIAL FACILITY	S	RATIFIED
04-24-03, 05-13-04		
S1098 FINANCE CANCER CENTER & CARDIO INSTITUTE.	S	PASSED 3RD READING

LOCAL BILLS

H1401 WILKES VISITOR CENTER.	H	REPTD FAV
	H	CAL PURSUANT RULE 36(B)

H1447 CITY OF GREENVILLE-ABANDONED/JUNKED VEHICLES.	H REPTD FAV H CAL PURSUANT RULE 36(B)

SUMMARIES OF AMENDMENTS AND COMMITTEE SUBSTITUTES

HOUSE BILLS

H 1352. EMERGENCY FUNDING FOR ONE NC & NEIT. Intro. 5/10/04. House committee substitute makes the following changes to 1st edition. Makes appropriation to the "One North Carolina Fund" (was, "One North Carolina Industrial Recruitment Competitive Fund"). Deletes reference to purposes provided in SL 2003-284, Sec. 12. 4 States that it is the intent of the General Assembly that there be a recurring annual appropriation to the Fund of $10 million beginning with the 2006-2007 fiscal year. Adds sec. 3 and 4 to Act, which are identical to H 1400, introduced 5/12/04, except changes effective date to date on which bill becomes law (was, July 1, 2004). Also enacts new sec. 5, requiring that program guidelines developed by the Dep't of Commerce for the Industrial Recruitment Competitive Fund shall apply to One North Carolina Fund until its guidelines are adopted, which shall occur on or before July 1, 2004.

NEXT SESSIONS

May 20, 2004

HOUSE convenes at 10:00 a.m.

SENATE convenes at 10:00 a.m.

341
2004/8

Daily Bulletin

ACTIONS BY THE NORTH CAROLINA GENERAL ASSEMBLY

Institute *of* Government—School of Government
The University of North Carolina at Chapel Hill
Legislative Reporting Service, Box 7294 State Legislative Building, Raleigh, NC 27601
Phone 919.733.2484 Fax 919.715.3464

House Legislative Day 111 Vol. 2004, No. 8 Senate Legislative Day 113

Thursday, May 20, 2004

BILLS INTRODUCED TODAY

BILL #	SHORT TITLE	IDEN	COMMITTEE	GS INDEX OR COUNTIES AFFECTED
S 1178	ABOLISH WILKES COUNTY CORONER		ST. GOV.	WILKES
S 1179	HONORING PENLAND SCHOOL	H 1461	RULES	JOINT RES
S 1180	FUNDS FOR NC REAL		APPROPRIATIONS	APPROP
S 1181	MODIFY ALLEGHANY OCCUPANCY TAX		FINANCE	ALLEGHANY
S 1182	CITY OF RAEFORD LOCAL ACT		RULES	HOKE
S 1183	CITY OF LUMBERTON LOCAL ACT		RULES	ROBESON
S 1184	ROBESON COUNTY LOCAL ACT-1		RULES	ROBESON
S 1185	ROBESON COUNTY LOCAL ACT-2		RULES	ROBESON
S 1186	HOKE COUNTY LOCAL ACT-1		RULES	HOKE
S 1187	HOKE COUNTY LOCAL ACT-2		RULES	HOKE
S 1188	HORACE WILLIAMS AIRPORT		RULES	116
S 1189	EXPAND CHADBOURN ETJ	H 1534	FINANCE	COLUMBUS
S 1190	ASSAULT ON LAW OFFICER/EMERGENCY PERSONNEL	H 1554	JUDICIARY I	14
S 1191	CONSTRUCTION OF PRISON IN COLUMBUS COUNTY	H 1504	COMMERCE	UNCODIFIED
S 1192	MV TRANSFER/DISCLOSURE OF TOTAL LOSS CLAIM		APPROPRIATIONS	20
S 1193	CITY OF HIGH POINT LOCAL ACT		RULES	GUILFORD, DAVIDSON, RANDOLPH, FORSYTH
S 1194	GUILFORD COUNTY LOCAL ACT		RULES	GUILFORD
S 1195	FSU-SCHOOL OF ENGINEERING		APPROPRIATIONS	STUDY, APPROP
S 1196	YOUTHFUL OFFENDER STUDY		RULES	STUDY, APPROP
S 1197	STUDY TRAFFICKING OF PERSONS		RULES	JOINT RES
S 1198	SCIWORKS FUNDS		APPROPRIATIONS	LOCAL APPROP
S 1199	BLANK APPROPRIATIONS BILL-1		RULES	APPROP
S 1200	FORSYTH COUNTY LOCAL ACT-2		RULES	FORSYTH
S 1201	ROBESON/NO HUNTING OR FISHING FROM ROADWAYS		ST. GOV.	ROBESON
S 1202	SEPTIC SYSTEM SETBACKS FOR PRE-1977 LOTS		AGRICULTURE	130A
S 1203	STATE BUDGET ACT	H 1565	ST. GOV.	7A, 113A, 143, 143C, 116, 143A, 143B, 17D, 18B, 20, 53, 62, 62A, 74, 95, 96, 106, 108A, 113, 115C, 115D, 116D, 117, 120, 121, 122A, 122C, 126, 130A, 131A, 135, 136, 138, 140, 147, 159
S 1204	FUNDS TO COMBAT THE MANUF. OF METHAMPHETAMINE		APPROPRIATIONS	APPROP
S 1205	46TH SENATORIAL DISTRICT LOCAL ACT-2		RULES	CLEVELAND, RUTHERFORD
S 1206	46TH SENATORIAL DISTRICT LOCAL ACT-1		RULES	CLEVELAND, RUTHERFORD
S 1207	PITT COUNTY SUBDIVISIONS		ST. GOV.	PITT
S 1208	WILSON COUNTY DEEDS/DELINQUENT TAXES		FINANCE	WILSON
S 1209	DURHAM HOUSING APPEALS BOARD		ST. GOV.	DURHAM
S 1210	PHASE II STORMWATER MANAGEMENT-1		AGRICULTURE	UNCODIFIED

U.S. DOCUMENTS CLEARINGHOUSE
JUN 02 2004

This publication is printed on permanent, acid-free paper in compliance with the North Carolina General Statutes.
Institute of Government—School of Government
The University of North Carolina at Chapel Hill

© 2004

STATE LIBRARY OF NORTH CAROLINA
RALEIGH

S 1211	PHASE II STORMWATER MANAGEMENT-2	H 1581	AGRICULTURE	UNCODIFIED
S 1212	DOT AUTHORITY TO ISSUE GARVEE BONDS	H 1389	FINANCE	136
S 1213	SCHOOL CALENDAR CHANGES	H 1464	EDUCATION	115C
S 1214	TAX CREDIT FOR CERTAIN REAL PROP. DONATIONS	H 1602	FINANCE	105
S 1215	CHILDREN'S TRUST FUND/DPI TO DHHS	H 1438	HEALTH	7B
S 1216	CHILD PROTECTIVE SERVICES SPECIAL PROVISIONS	H 1440	RULES	STUDY
S 1217	MODIFY FRANCHISE TAX LOOPHOLE		FINANCE	105
S 1218	CHILD RESTRAINT SYSTEMS MODIFIED		HEALTH	20
S 1219	DRY CLEANING SOLVENT CLEANUP ACT AMENDMENTS	H 1583	FINANCE	UNCODIFIED
S 1220	LEAKING UST FUND LIQUIDITY	H 1584	AGRICULTURE	143
S 1221	WATER CONSERVATION/SUBMETERS	H 1582	AGRICULTURE	42, 43, 130A
S 1222	LIMIT LIABILITY FOR ENVIRONMENTAL CLEANUPS		JUDICIARY I	105, 130A, 143
S 1223	HEALTH INSURANCE INNOVATIONS COMMISSION	H 1463	COMMERCE	STUDY
S 1224	STATE NAT. & HIST. PRESERVE REMOVALS			AGRICULTURE, 143
S 1225	2004 TECHNICAL CORRECTIONS ACT	H 1532		14, 20, 49, 55B, JUDICIARY II, 58, 105, 136, 143, 160A, 162A, EDUCATION, 78A, 90, 96, 110, 113, 143, 14, EDUCATION, 7, 163, 160A
S 1226	TEACHER TEST FLEXIBILITY			115C
S 1227	RETIRED TEACHERS CHANGES	H 1499		115C, 135
H 1536	MANUFACTURE METH/ENDANGER CHILDREN		JUDICIARY IV	15A
H 1537	MANUFACTURE OF METH/INCREASE PENALTY		JUDICIARY IV	90
H 1538	LOCAL JCPC MEMBERSHIP		JUDICIARY IV	143B
H 1539	DEPARTMENT OF VETERANS AFFAIRS		RULES	165
H 1540	AUTHORIZING CONSIDERATION OF BILL TO LIMIT UNC OUT-OF-STATE ENROLLMENT		EDUCATION	JOINT RES
H 1541	UNC/CAP OUT-OF-STATE STUDENTS		RULES	116, APPROP
H 1542	SHELBY ECONOMIC DEVELOPMENT FUNDS		APPROPRIATIONS	LOCAL APPROP
H 1543	ASHEVILLE ABC BOARD MEMBERSHIP INCREASED		LOC. GOV. I	BUNCOMBE
H 1544	AUTHORIZING CONSIDERATION OF BILL TO TERMINATE PARENTAL RIGHTS OF MURDERERS		JUDICIARY II	JOINT RES
H 1545	CHAPEL HILL CAMPAIGN FINANCE OPTIONS	S 1123	ELECTION LAW	ORANGE, DURHAM
H 1546	CHAPEL HILL DEVELOPMENT RIGHTS		LOC. GOV. 2	ORANGE, DURHAM
H 1547	CHAPEL HILL OPEN SPACE		LOC. GOV. II	ORANGE, DURHAM
H 1548	CHAPEL HILL SPECIAL USES	S 1122	LOC. GOV. II	ORANGE, DURHAM
H 1549	IN-STATE TUITION FOR MILITARY RESERVISTS	S 1160	MILITARY, VETERANS & INDIAN AFFAIRS	116
H 1550	MILITARY AFFAIRS COMM. MEMBERSHIP	S 1159	MILITARY, VETERANS & INDIAN AFFAIRS	127C
H 1551	ASHEVILLE CIVIL SERVICE BOARD		LOC. GOV. I	BUNCOMBE
H 1552	PITT COUNTY SR. CENTER FUNDS		APPROPRIATIONS	LOCAL APPROP
H 1553	GRIMESLAND BOUNDARY RESTATEMENT		FINANCE	PITT
H 1554	ASSAULT ON LAW OFFICER/EMERGENCY PERSONNEL		RULES	14
H 1555	TAG AGENTS TITLE TRANSACTION FEE		FINANCE	20
H 1556	AUTHORIZING CONSIDERATION OF BILL TO PROHIBIT SALE TO MINORS OF CERTAIN SUBSTANCES		JUDICIARY IV	JOINT RES
H 1557	MILITARY BASE SUPPORT	S 1157	APPROPRIATIONS	105, 136
H 1558	RECOGNIZING IMPORTANCE OF MILITARY BASES		RULES	JOINT RES
H 1559	MILITARY BASE LAND PRESERVATION FUND	S 1158	APPROPRIATIONS	113, APPROP
H 1560	OSTEOPOROSIS EDUCATION PROGRAM	S 1073	HEALTH	130A
H 1561	OSTEOPOROSIS EDUC. FUNDS	S 1072	APPROPRIATIONS	APPROP
H 1562	FUNDS FOR WINSTON-SALEM DELTA FINE ARTS		APPROPRIATIONS	LOCAL APPROP
H 1563	NEUSE REGIONAL WATER & SEWER FUNDS	S 1119	APPROPRIATIONS	LOCAL APPROP
H 1564	CHARLOTTE REGIONAL VISITORS AUTHORITY		LOC. GOV. II	MECKLENBURG
H 1565	STATE BUDGET ACT		APPROPRIATIONS	7A, 113A, 143, 143C, 116, 143A, 143B, 17D, 18B, 20, 53, 62, 62A 74, 95, 96, 106, 108A, 113, 115C, 115D, 116D, 117, 120, 121, 122A, 122C, 126, 130A, 131A, 135, 136, 138, 140, 147, 159
H 1566	ABOLISH WILKES COUNTY CORONER	S 1178	LOC. GOV. I	WILKES

H 1567	MILITARY PLANNING NOTICES	S 1161	MILITARY, VETERANS & INDIAN AFFAIRS	153A, 160A
H 1568	SEPTIC SYSTEM SETBACKS FOR PRE-1977 LOTS	S 1202	HEALTH	130A
H 1569	COLUMBUS COUNTY SERVICE FEES		LOC. GOV. II	COLUMBUS
H 1570	AUTHORIZING CONSIDERATION OF BILL ON GRANTING EXCLUSIVE FEDERAL JURISDICTION		RULES	JOINT RES
H 1571	WINDOWS ON THE WORLD TECHNOLOGY CENTER FUNDS	S 1176	APPROPRIATIONS	APPROP
H 1572	HORACE WILLIAMS AIRPORT	S 1188	HEALTH	116
H 1573	SCIENCE & MATH SCHOOL		RULES	STUDY, APPROP
H 1574	LOWER HAW RIVER STATE NATURAL AREA		ENVIRONMENT	113
H 1575	ABC LICENSEES TO RECYCLE BEVERAGE CONTAINERS		ENVIRONMENT	18B, 130A
H 1576	STUDY TRAFFICKING OF PERSONS	S 1197	CHILDREN & HUMAN RESOURCES	JOINT RES
H 1577	INCREASE CIGARETTE EXCISE TAX TO 75 CENTS		FINANCE	105
H 1578	PENDER RESCUE SERVICE FEE		FINANCE	PENDER
H 1579	FILM INDUSTRY DEVELOPMENT ACCOUNTS FUND		APPROPRIATIONS	APPROP
H 1580	FUNDS FOR OFFICE OF MINORITY HEALTH		APPROPRIATIONS	APPROP
H 1581	PHASE II STORMWATER MANAGEMENT-2		ENVIRONMENT	UNCODIFIED
H 1582	WATER CONSERVATION/SUBMETERS		ENVIRONMENT	42, 43, 130A
H 1583	DRY CLEANING SOLVENT CLEANUP ACT AMENDMENTS		ENVIRONMENT	UNCODIFIED
H 1584	LEAKING UST FUND LIQUIDITY		ENVIRONMENT	143
H 1585	PHASE II STORMWATER MANAGEMENT-1	S 1210	ENVIRONMENT	UNCODIFIED
H 1586	CLARIFY FEE AUTHORITY OF MASSAGE THERAPY BD	S 1095	FINANCE	90
H 1587	LOCKSMITH CRIMINAL HISTORY RECORD CHECK FEE	S 1128	FINANCE	74F
H 1588	MONROE CLAIMS SETTLEMENT		LOC. GOV. I	UNION
H 1589	MONTGOMERY COMMISSIONER ELECTIONS		LOC. GOV. I	MONTGOMERY
H 1590	REDUCE FRANCHISE TAX		FINANCE	105
H 1591	FUNDS FOR MURDOCH CENTER		APPROPRIATIONS	APPROP
H 1592	COALITION 2001 FUNDS		APPROPRIATIONS	APPROP
H 1593	SWANSBORO ANNEXATION		FINANCE	ONSLOW
H 1594	ALARM SYSTEMS LICENSURE FEES		FINANCE	74D
H 1595	SUSPEND ADVANCE DIRECTIVE REGISTRY FEE		FINANCE	130A
H 1596	CAROLINA LAKES MOTOR VEHICLE REGULATION		LOC. GOV. I	HARNETT
H 1597	FIRST DEFENDER DISTRICT/FUNDS		APPROPRIATIONS	7A, APPROP
H 1598	CHARITABLE BINGO FEE/PRIZE LIMITS INCREASED		FINANCE	14
H 1599	LABOR AUDIT SYSTEMS/INCENTIVES		FINANCE	105
H 1600	FUNDS FOR ASTHMA PROGRAMS		APPROPRIATIONS	APPROP
H 1601	FUNDS FOR DIABETES PROGRAMS		APPROPRIATIONS	APPROP
H 1602	TAX CREDIT FOR CERTAIN REAL PROP. DONATIONS		FINANCE	105
H 1603	LIMIT LIABILITY FOR ENVIRONMENTAL CLEANUPS	S 1222	ENVIRONMENT	105, 130A, 143
H 1604	GREENSBORO CLAIM SETTLEMENTS		LOC. GOV. II	GUILFORD
H 1605	FAMILY COURT FUNDS		APPROPRIATIONS	APPROP
H 1606	DEFENSE OF MARRIAGE	S 1057	RULES	CONST
H 1607	STATE NAT. & HIST. PRESERVE REMOVALS	S 1224	ENVIRONMENT	143
H 1608	GREENSBORO ORDINANCE PUBLICATION		LOC. GOV. II	GUILFORD
H 1609	CORRECT STREAMLINED SALES TAX INEQUITY		FINANCE	105
H 1610	INTERNATIONAL CIVIL RIGHTS MUSEUM FUNDS		APPROPRIATIONS	LOCAL APPROP
H 1611	NC A&T MATCHING FUNDS		APPROPRIATIONS	APPROP
H 1612	EAST MARKET STREET REVITALIZATION FUNDS		APPROPRIATIONS	APPROP
H 1613	CHOWAN HUNTING LAWS		WILDLIFE	CHOWAN
H 1614	LENOIR ABC PROFIT DISTRIBUTIONS TO BE ANNUAL		LOC. GOV. I	LENOIR
H 1615	ENVIRONMENTAL REPORTS AMENDMENTS		ENVIRONMENT	113A, 143
H 1616	ENVIRONMENTAL TECHNICAL CORRECTIONS		WILDLIFE	113, 121

SUMMARIES OF BILLS INTRODUCED TODAY

SENATE BILLS

S 1178. ABOLISH WILKES COUNTY CORONER. *ABOLISHING THE OFFICE OF CORONER IN WILKES COUNTY.* As title indicates. Effective upon the expiration of the term of the current coroner.
Intro. by Garwood.
Ref. to St. Gov. WILKES

S 1179. HONORING PENLAND SCHOOL (=H 1461). *HONORING THE PENLAND SCHOOL OF CRAFTS ON ITS 75TH ANNIVERSARY AND THE MEMORY OF LUCY MORGAN, THE FOUNDER OF THE PENLAND SCHOOL OF CRAFTS.* Identical to H 1461, introduced 5/17/04.
Intro. by Queen.
Ref. to Rules JOINT RES

S 1180. FUNDS FOR NC REAL. *TO APPROPRIATE FUNDS TO NORTH CAROLINA REAL ENTERPRISES, INC., TO DEVELOP AND IMPLEMENT ENTREPRENEURIAL EDUCATION PROGRAMS AND PROVIDE SUPPORT TO ENTREPRENEURS.* Appropriates $350,000 for 2004-2005 from General Fund to NC Real Enterprises, Inc. as title indicates. Effective July 1, 2004.
Intro. by Queen.
Ref. to Appropriations APPROP

S 1181. MODIFY ALLEGHANY OCCUPANCY TAX. *TO MODIFY THE ADMINISTRATIVE PROVISIONS OF THE ALLEGHANY OCCUPANCY TAX.* Amends SL 91-162 as title indicates. Deletes requirement that occupancy tax be adopted by resolution and provision exempting businesses renting fewer than five units from tax. Deletes provisions concerning collection and administration of the tax and instead provides that GS 153A-155 applies to such matters. Increases to 100% amount of tax to be remitted to the Alleghany Chamber of Commerce (was, 50%) and changes manner in which proceeds shall be spent. Authorizes Board of Comm'rs to create Tourism Development Authority once annual proceeds of tax exceed $100,000. Amends GS 153A-155(g) to add Alleghany to list of counties covered by provision.
Intro. by Foxx.
Ref. to Finance ALLEGHANY

S 1182. CITY OF RAEFORD LOCAL ACT. *RELATING TO THE CITY OF RAEFORD.* Blank bill.
Intro. by Weinstein.
Ref. to Rules HOKE

S 1183. CITY OF LUMBERTON LOCAL ACT. *RELATING TO THE CITY OF LUMBERTON.* Blank bill.
Intro. by Weinstein.
Ref. to Rules ROBESON

S 1184. ROBESON COUNTY LOCAL ACT-1. *RELATING TO THE COUNTY OF ROBESON AND THE MUNICIPALITIES LOCATED IN THAT COUNTY.* Blank bill.
Intro. by Weinstein.
Ref. to Rules ROBESON

S 1185. ROBESON COUNTY LOCAL ACT-2. *RELATING TO THE COUNTY OF ROBESON AND THE MUNICIPALITIES LOCATED IN THAT COUNTY.* Blank bill.
Intro. by Weinstein.
Ref. to Rules ROBESON

S 1186. HOKE COUNTY LOCAL ACT-1. *RELATING TO THE COUNTY OF HOKE AND THE MUNICIPALITIES LOCATED IN THAT COUNTY.* Blank bill.
Intro. by Weinstein.
Ref. to Rules HOKE

S 1187. HOKE COUNTY LOCAL ACT-2. *RELATING TO THE COUNTY OF HOKE AND THE MUNICIPALITIES LOCATED IN THAT COUNTY.* Blank bill.
Intro. by Weinstein.
Ref. to Rules HOKE

S 1188. HORACE WILLIAMS AIRPORT. *TO REQUIRE THE UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL TO CONTINUE TO OPERATE THE HORACE WILLIAMS AIRPORT.* As title indicates. Further requires that UNC-CH continue air transportation support from airport for the Area Health Education Centers until a replacement facility is operational.
Intro. by Rand.
Ref. to Rules GS 116

S 1189. EXPAND CHADBOURN ETJ (=H 1534). *ALLOWING THE TOWN OF CHADBOURN TO EXTEND ITS EXTRATERRITORIAL PLANNING JURISDICTION UP TO TWO MILES OUTSIDE ITS CORPORATE LIMITS.* Identical to H 1534, introduced 5/19/04.
Intro. by Soles.
Ref. to Finance COLUMBUS

S 1190. ASSAULT ON LAW OFFICER/EMERGENCY PERSONNEL (=H 1554). *TO MAKE THE OFFENSE OF SIMPLE ASSAULT OR AFFRAY ON A LAW ENFORCEMENT OFFICER, FIREFIGHTER, EMERGENCY MEDICAL TECHNICIAN, MEDICAL RESPONDER, EMERGENCY DEPARTMENT NURSE, OR EMERGENCY DEPARTMENT PHYSICIAN A FELONY OFFENSE RATHER THAN A MISDEMEANOR OFFENSE AND TO INCREASE THE PENALTY FOR AN ASSAULT THAT INFLICTS SERIOUS BODILY INJURY OR ASSAULT WITH A DEADLY WEAPON ON EMERGENCY PERSONNEL.* Identical to H 1554, introduced 5/20/04.
Intro. by Soles.
Ref. to Judiciary I GS 14

S 1191. CONSTRUCTION OF PRISON IN COLUMBUS COUNTY (=H 1504). *TO PROVIDE THAT THE COLUMBUS COUNTY PRISON BE CONSTRUCTED IN ACCORDANCE WITH THE SAME NORTH CAROLINA STATE BUILDING CODE UNDER WHICH THE PRISONS IN SCOTLAND, ANSON, ALEXANDER, GREENE, AND BERTIE COUNTIES WERE CONSTRUCTED.* Identical to H 1504, introduced 5/19/04.
Intro. by Soles.
Ref. to Commerce UNCODIFIED

S 1192. MV TRANSFER/DISCLOSURE OF TOTAL LOSS CLAIM. *TO REQUIRE TRANFERORS OF MOTOR VEHICLES TO DISCLOSE TO TRANSFEREES THAT THE VEHICLE HAS BEEN DECLARED A TOTAL LOSS BY AN INSURANCE COMPANY, TO DELETE THE REQUIREMENT THAT A "TOTAL LOSS CLAIM" NOTATION BE PUT ON THE TITLE AND REGISTRATION CARD, TO REQUIRE INSURANCE COMPANIES TO INSERT A PERMANENT MARKER INTO THE DOORJAMB OF A VEHICLE WHEN IT HAS PAID A CLAIM EXCEEDING TWENTY-FIVE PERCENT OF THE VEHICLE'S RETAIL VALUE, AND TO APPROPRIATE FUNDS TO IMPLEMENT THE PROVISIONS OF THIS ACT.* As title indicates, amends GS 20-71.3, enacts new GS 20-71.4(a)(3), and appropriates $100,000 from Highway Fund to Dep't of Transportation, Div'n of Motor Vehicles. Requires that at the time of transfer, transferor attach to the title a copy of a written total loss disclosure, signed by transferee, and a copy of rebuilder's affidavit. Makes conforming changes. Effective Dec. 1, 2004.
Intro. by Soles.
Ref. to Appropriations GS 20, APPROP

S 1193. CITY OF HIGH POINT LOCAL ACT. *RELATING TO THE CITY OF HIGH POINT.* Blank bill.
Intro. by Dorsett, Hagan.
Ref. to Rules GUILFORD, DAVIDSON, RANDOLPH, FORSYTH

S 1194. GUILFORD COUNTY LOCAL ACT. *RELATING TO THE COUNTY OF GUILFORD.* Blank bill.
Intro. by Dorsett, Hagan.
Ref. to Rules GUILFORD

S 1195. FSU-SCHOOL OF ENGINEERING. *TO DIRECT THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA TO STUDY THE OPTIONS FOR ESTABLISHING A SCHOOL OF ENGINEERING AT FAYETTEVILLE STATE UNIVERSITY, TO BEGIN THE FIRST PHASE OF ESTABLISHING A SCHOOL OF ENGINEERING AT FAYETTEVILLE STATE UNIVERSITY, AND TO APPROPRIATE FUNDS TO ASSIST WITH THE COST OF THE FEASIBILITY STUDY.* As title indicates. Board to report findings no later than Jan. 1, 2005, and begin establishing a school by the 2005-06 academic year. Appropriates $25,000 from General Fund to Board of Governors for 2004-05 fiscal year for study. Effective July 1, 2004.
Intro. by Shaw.
Ref. to Appropriations STUDY, APPROP

S 1196. YOUTHFUL OFFENDER STUDY. *TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY ISSUES RELATED TO THE CONVICTION AND SENTENCING OF YOUTHFUL OFFENDERS AND TO APPROPRIATE FUNDS.* Appropriates $20,000 for 2004-2005 from General Fund to General Assembly as title indicates. Effective July 1, 2004.
Intro. by Kinnaird.
Ref. to Rules STUDY, APPROP

S 1197. STUDY TRAFFICKING OF PERSONS. *TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE TRAFFICKING OF PERSONS AS RECOMMENDED BY THE LEGISLATIVE STUDY COMMISSION ON CHILDREN AND YOUTH.* As title indicates.
Intro. by Kinnaird.
Ref. to Rules JOINT RES

S 1198. SCIWORKS FUNDS. *TO APPROPRIATE FUNDS TO THE SCIENCE CENTER AND ENVIRONMENTAL PARK OF FORSYTH COUNTY.* Appropriates $1,000,000 for 2004-2005 from General Fund to The Science Center and Environmental Park of Forsyth County to upgrade facility. Effective July 1, 2004.
Intro. by Horton.
Ref. to Appropriations LOCAL APPROP

S 1199. BLANK APPROPRIATIONS BILL-1. *TO APPROPRIATE FUNDS FOR THE CURRENT FISCAL YEAR.* Blank bill.
Intro. by Horton.
Ref. to Rules APPROP

S 1200. FORSYTH COUNTY LOCAL ACT-2. *RELATING TO THE COUNTY OF FORSYTH.* Blank bill.
Intro. by Horton.
Ref. to Rules FORSYTH

S 1201. ROBESON/NO HUNTING OR FISHING FROM ROADWAYS. *TO PROHIBIT HUNTING AND FISHING FROM THE RIGHT-OF-WAY IN ROBESON COUNTY.* As title indicates. First violation of provision punishable as a Class 3 misdemeanor and fine of up to $300, repeat violations are punishable by a fine of at least $300 and the loss of hunting privileges for 12 months. Effective Oct. 1, 2004.
Intro. by Weinstein.
Ref. to St. Gov. ROBESON

S 1202. SEPTIC SYSTEM SETBACKS FOR PRE-1977 LOTS. *TO CLARIFY THAT A SEPTIC TANK SYSTEM THAT IS FOR A LOT PLATTED PRIOR TO JULY 1, 1977, AND THAT IS OPERATED IN SOILS THAT ARE IN SOIL GROUP 1 MAY BE LOCATED TEN FEET OR MORE FROM ANY OTHER SEPTIC TANK SYSTEM, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.* As title indicates. Provides that Group 1 soils are those characterized by local health dep't as sandy texture soils.
Intro. by Soles.
Ref. to Agriculture GS 130A

S 1203. STATE BUDGET ACT (=H 1565). *TO RECODIFY MANY OF THE PROVISIONS OF THE EXECUTIVE BUDGET ACT AND THE CAPITAL IMPROVEMENT PLANNING ACT INTO A STATE BUDGET ACT THAT REVISES AND CLARIFIES THE PROCEDURES FOR PREPARING, ENACTING, AND ADMINISTERING THE STATE BUDGET AND TO MAKE CONFORMING CHANGES AS RECOMMENDED BY THE JOINT COMMITTEE ON EXECUTIVE BUDGET ACT REVISIONS.* Identical to H 1565, introduced 5/20/04.
Intro. by Hagan, Dalton, Garrou, Malone.
Ref. to St. Gov. GS 7A, 113A, 143, 143C, 116, 143A, 143B, 17D, 18B, 20, 53, 62, 62A, 74, 95, 96, 106, 108A, 113, 115C, 115D, 116D, 117, 120, 121, 122A, 122C, 126, 130A, 131A, 135, 136, 138, 140, 147, 159

S 1204. FUNDS TO COMBAT THE MANUF. OF METHAMPHETAMINE. *TO APPROPRIATE FUNDS TO THE DEPARTMENT OF JUSTICE TO COMBAT THE MANUFACTURE OF METHAMPHETAMINE.* Effective July 1, 2004, appropriates $585,000 for 2004-2005 from General Fund to Dep't of Justice as title indicates. Requires that $25,000 of appropriation be used to lease additional space at the western laboratory of the State Bureau of Investigation, and $560,000 be used to create seven new sworn drug chemist positions and two new sworn latent print examiner positions in the SBI, effective Jan. 1, 2005.
Intro. by Dalton.
Ref. to Appropriations APPROP

S 1205. 46TH SENATORIAL DISTRICT LOCAL ACT-2. *RELATING TO THE 46TH SENATORIAL DISTRICT.*
Blank bill.
Intro. by Dalton.
Ref. to Rules CLEVELAND, RUTHERFORD

S 1206. 46TH SENATORIAL DISTRICT LOCAL ACT-1. *RELATING TO THE 46TH SENATORIAL DISTRICT.*
Blank bill.
Intro. by Dalton.
Ref. to Rules CLEVELAND, RUTHERFORD

S 1207. PITT COUNTY SUBDIVISIONS. *RELATING TO THE DEFINITION OF SUBDIVISION IN PITT COUNTY.* Enacts new GS 153A-335(5) and (6) applicable to Pitt County only, providing that term "subdivision" does not include the division of a tract among heirs as part of the settlement of an estate, or the division of land from a grantor to a member of grantor's immediate family for residential use.
Intro. by Moore.
Ref. to St. Gov. PITT

S 1208. WILSON COUNTY DEEDS/DELINQUENT TAXES. *PROVIDING THAT WILSON COUNTY MAY REQUIRE THE PAYMENT OF DELINQUENT TAXES BEFORE THE RECORDATION OF DEEDS CONVEYING PROPERTY.* As title indicates.
Intro. by Moore.
Ref. to Finance WILSON

S 1209. DURHAM HOUSING APPEALS BOARD. *MAKING A TECHNICAL CORRECTION TO THE AUTHORITY OF THE DURHAM HOUSING APPEALS BOARD TO HEAR APPEALS.* Amends Durham charter as title indicates.
Intro. by Lucas.
Ref. to St. Gov. DURHAM

S 1210. PHASE II STORMWATER MANAGEMENT-1. *TO PROVIDE FOR IMPLEMENTATION OF FEDERAL PHASE II STORMWATER MANAGEMENT REQUIREMENTS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.* Sets out provisions for applications for Phase II National Pollutant Discharge Elimination System permits for stormwater management submitted by owner or operator of small municipal separate storm sewer system located within an urbanized area as designated by 1999 or 2000 census and sets implementation deadlines for applications submitted. Requires new development in area designated as urbanized area and located in local planning jurisdiction that does not administer Phase I or II permits for stormwater management or local stormwater management program to comply with temporary rule of

Environmental Management Comm'n. Provides that more stringent requirement applies in case of conflict or overlap between stormwater control requirement under Phase II or under any other water quality program. Sets out provisions for public entity that does not administer a Phase II permit within planning jurisdiction and whose jurisdiction includes urbanized area to submit stormwater management program for approval. Specifies how public entity may be designated as regulated entity. Sets out provisions for petitioning DENR to require owner of municipal separate storm system or person who discharges storm water to obtain Phase II permit. Provision regarding new development effective July 1, 2006; remainder of bill effective when it becomes law.
Intro. by Clodfelter, Albertson, Dorsett, Kinnaird.
Ref. to Agriculture UNCODIFIED

S 1211. PHASE II STORMWATER MANAGEMENT-2 (=H 1581). *TO PROVIDE FOR IMPLEMENTATION OF FEDERAL PHASE II STORMWATER MANAGEMENT REQUIREMENTS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.* Identical to H 1581, introduced 5/20/04.
Intro. by Clodfelter, Albertson.
Ref. to Agriculture UNCODIFIED

S 1212. DOT AUTHORITY TO ISSUE GARVEE BONDS (=H 1389). *TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO ISSUE "GARVEE" GRANT ANTICIPATION REVENUE VEHICLE BONDS AND TO DIRECT THE SECRETARY OF THE DEPARTMENT OF TRANSPORTATION AND THE STATE TREASURER TO DEVELOP AN IMPLEMENTATION PLAN FOR ISSUANCE OF THE BONDS.* Identical to H 1389, introduced 5/12/04.
Intro. by Jenkins.
Ref. to Finance GS 136

S 1213. SCHOOL CALENDAR CHANGES (=H 1464). *TO REDUCE THE NUMBER OF NONINSTRUCTIONAL TEACHER WORKDAYS; TO PROVIDE THAT PUBLIC SCHOOLS SHALL OPEN AFTER AUGUST 25 AND CLOSE NOT AFTER JUNE 10, EXCEPT IN UNUSUAL CIRCUMSTANCE OR IN YEAR-ROUND SCHOOLS; TO ENSURE THAT TEACHERS MAY BE PAID IN AUGUST IF THEY SO DESIRE; AND TO PROVIDE THAT SALARIES NOT DECREASE AS A RESULT OF THE REDUCTION IN TEACHER WORKDAYS.* Identical to H 1464, introduced 5/17/04.
Intro. by Dannelly, Apodaca, Berger, Blake, Pittenger, Smith, Thomas.
Ref. to Education GS 115C

S 1214. TAX CREDIT FOR CERTAIN REAL PROP. DONATIONS (=H 1602). *TO RECODIFY THE CREDIT FOR CERTAIN REAL PROPERTY DONATIONS AND TO INCREASE THE CREDIT FOR CERTAIN PASS-THROUGH ENTITIES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.* Identical to H 1602, introduced 5/20/04.
Intro. by Clodfelter.
Ref. to Finance GS 105

S 1215. CHILDREN'S TRUST FUND/DPI TO DHHS (=H 1438). *TO TRANSFER THE CHILDREN'S TRUST FUND AND RESPONSIBILITY FOR AWARDING GRANTS FOR CHILD ABUSE AND NEGLECT PREVENTION PROGRAMS FROM THE DEPARTMENT OF PUBLIC INSTRUCTION TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, AS RECOMMENDED BY THE HOUSE INTERIM COMMITTEE ON CHILD ABUSE AND NEGLECT, FOSTER CARE, AND ADOPTION.* Identical to H 1438, introduced 5/13/04.
Intro. by Purcell.
Ref. to Health GS 7B

S 1216. CHILD PROTECTIVE SERVICES SPECIAL PROVISIONS (=H 1440). *TO RECOMMEND FURTHER CONSIDERATION AND STUDY OF ISSUES RELATING TO THE PROVISION OF CHILD PROTECTIVE SERVICES AS RECOMMENDED BY THE HOUSE INTERIM COMMITTEE ON CHILD ABUSE AND NEGLECT, FOSTER CARE, AND ADOPTION.* Identical to H 1440, introduced 5/13/04.
Intro. by Purcell.
Ref. to Rules STUDY

S 1217. MODIFY FRANCHISE TAX LOOPHOLE. *TO CLOSE A LOOPHOLE THAT ALLOWS CORPORATIONS TO CONTINUE AVOIDING FRANCHISE TAXES AND TO REMOVE PROVISIONS THAT COULD RESULT IN FRANCHISE TAXES ON ASSETS NOT INDIRECTLY OWNED BY CORPORATIONS.* Adds definitions of

affiliated group, capital interest and entity to GS 105-114.1. Retroactively to Jan. 1, 2003, requires affiliated corporations that own 70% or more of the capital interest of a limited liability company to include a percentage of the company's assets in their tax bases. Effective Jan. 1, 2005, lowers threshold for inclusion of assets to 50%. Sets out timing and calculation for percentages of tax bases attributed to members of affiliated groups, avoiding double inclusion and providing an exemption for limited liability companies with less than $150,000 in assets. Defines constructive ownership of capital interests in a limited liability company.
Intro. by Clodfelter, Kerr, Dalton, Hartsell, Hoyle, Webster.
Ref. to Finance GS 105

S 1218. CHILD RESTRAINT SYSTEMS MODIFIED. *TO MODIFY THE CHILD RESTRAINT SYSTEM REQUIREMENTS AS RECOMMENDED BY THE CHILD FATALITY TASK FORCE.* Amends GS 20-137.1(a1), increasing the age and weight requirements to provide that a child less than eight years old and less than 80 pounds must be secured in an appropriate passenger restraint system. Adds a provision stating that a child less than eight years old and more than 40 but less than 80 pounds may be restrained only by a properly fitted lap belt only if all seating positions equipped with lap and shoulder belts are occupied. Makes a conforming change to GS 20-137.1(c). Effective Oct. 1, 2004.
Intro. by Purcell.
Ref. to Health GS 20

S 1219. DRY CLEANING SOLVENT CLEANUP ACT AMENDMENTS (=H 1583). *TO INCREASE THE PERCENTAGE OF REVENUE CREDITED TO THE DRY-CLEANING SOLVENT CLEANUP FUND THAT MAY BE USED TO PAY COSTS OF ASSESSMENT OR REMEDIATION OF DRY-CLEANING SOLVENT CONTAMINATION THAT OCCURRED PRIOR TO 1 JULY 2001, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.* Identical to H 1583, introduced 5/20/04.
Intro. by Clodfelter.
Ref. to Finance UNCODIFIED

S 1220. LEAKING UST FUND LIQUIDITY (=H 1584). *TO IMPROVE AND ACCELERATE PROCESSING OF CLAIMS UNDER THE LEAKING PETROLEUM UNDERGROUND STORAGE TANK CLEANUP PROGRAM, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.* Identical to H 1584, introduced 5/20/04.
Intro. by Clodfelter.
Ref. to Agriculture GS 143

S 1221. WATER CONSERVATION/SUBMETERS (=H 1582). *TO PROMOTE WATER CONSERVATION IN MULTIFAMILY RESIDENTIAL PROPERTIES BY AMENDING VARIOUS STATE LAWS REGARDING THE USE OF SUBMETERS IN CONSECUTIVE WATER SYSTEMS IN LIGHT OF CHANGES IN POLICY RELATED TO WATER TESTING REQUIREMENTS AND WATER CONSERVATION BY THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.* Identical to H 1582, introduced 5/20/04.
Intro. by Clodfelter.
Ref. to Agriculture GS 42, 43, 130A

S 1222. LIMIT LIABILITY FOR ENVIRONMENTAL CLEANUPS. TO PROMOTE ECONOMIC DEVELOPMENT BY FACILITATING THE REUSE OF CONTAMINATED REAL PROPERTY BY LIMITING THE LIABILITY OF PURCHASERS OF CONTAMINATED PROPERTY IN CIRCUMSTANCES WHERE THE SELLER OF THE PROPERTY OR ANOTHER PARTY ASSUMES RESPONSIBILITY FOR RESPONSE, REMEDIATION, AND NATURAL RESOURCES RESTORATION OF THE PROPERTY, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION. Alters liability provisions for property contaminated by hazardous substances and petroleum to permit innocent landowners and owners of property contiguous to contamination to avoid responsibility for cleanup by demonstrating their innocence to the Dep't of Environment and Natural Resources. Provides liability relief for owners who took title to contaminated property with knowledge of its contamination, or without having done due diligence prior to taking title, on a demonstration, among other things, that another responsible party had provided financial assurance for the cleanup. Allows purchasers of property to request and receive a written determination that they are entitled to liability relief for a fee of $1000. Creates a lien

on property in favor of the state for unrecovered costs of cleanup. Alters definition of "prospective developer" under the Brownfields Act, G.S. 130A-310.31. Reduces time required for notice and comment on brownfields redevelopments. Effective July 1, 2004.
Intro. by Clodfelter.
Ref. to Judiciary I GS 105,130A,143

S 1223. HEALTH INSURANCE INNOVATIONS COMMISSION (=H 1463). *TO ESTABLISH THE NORTH CAROLINA HEALTH INSURANCE INNOVATIONS COMMISSION.* Identical to H 1463, introduced 5/17/04.
Intro. by Hoyle, Apodaca, Garwood, Hagan, Hargett, Malone, Smith, Swindell, Thomas.
Ref. to Commerce STUDY

S 1224. STATE NAT. & HIST. PRESERVE REMOVALS. *TO REMOVE CERTAIN LANDS FROM THE STATE NATURE AND HISTORIC PRESERVE AND TO DELETE A PORTION OF A PARK FROM THE STATE PARKS SYSTEM, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.* Amends GS 143-260.10, removing certain portions of the Hemlock Bluffs State Natural Area from the State Nature and Historic Preserve and the State Parks System. Also provides that the state may only exchange this land for the expansion of Hemlock Bluffs State Natural Area or sell it and use the proceeds for that purpose. Removes certain land at Pilot Mountain State Park from the State Parks System and provides that it may be reallocated to the Dep't of Cultural Resources for use as the Horne Creek Farm State Historic Site.
Intro. by Horton.
Ref. to Agriculture GS 143

S 1225. 2004 TECHNICAL CORRECTIONS ACT (=H 1532). *TO MAKE TECHNICAL CORRECTIONS AND CONFORMING CHANGES TO THE GENERAL STATUTES AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.* Identical to H 1532, introduced 5/19/04.
Intro. by Hartsell.
Ref. to Judiciary II GS 14, 20, 49, 55B, 58, 105, 136, 143, 160A, 162A, 78A, 90, 96, 110, 113, 143, 147, 163, 160A

S 1226. TEACHER TEST FLEXIBILITY. *TO IMPLEMENT THE RECOMMENDATION OF THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO AUTHORIZE THE STATE BOARD OF EDUCATION TO DETERMINE WHICH APPLICANTS FOR TEACHING POSITIONS ARE REQUIRED TO DEMONSTRATE PREPARATION ON A STANDARD EXAMINATION.* Amends GS 115C-296(a) to make the provision regarding requiring applicants to achieve a certain score on a standard examination permissive rather than mandatory. Makes conforming changes to GS 115C-296(a1) and GS 115C-296.1(c). Makes technical changes. Change to GS 115C-296.1(c) expires Sept. 1, 2006.
Intro. by Swindell, Dannelly, Garwood, Hartsell, Lucas, Malone, Stevens.
Ref. to Education GS 115C

S 1227. RETIRED TEACHERS CHANGES (=H 1499). *TO IMPLEMENT THE RECOMMENDATION OF THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO MODIFY AND EXTEND THE PROVISION THAT PERMITS RETIRED TEACHERS TO RETURN TO THE CLASSROOM WITHOUT A LOSS OF RETIREMENT BENEFITS.* Identical to H 1499, introduced 5/18/04.
Intro. by Swindell, Apodaca, Dannelly, Dorsett, Garwood, Hartsell, Lucas, Malone, Stevens, Thomas.
Ref. to Education GS 115C, 135

HOUSE BILLS

H 1536. MANUFACTURE METH/ENDANGER CHILDREN. *TO MAKE IT AN AGGRAVATING FACTOR TO MANUFACTURE METHAMPHETAMINE IN A LOCATION THAT ENDANGERS A CHILD AS RECOMMENDED BY THE JOINT LEGISLATIVE CORRECTIONS, CRIME CONTROL, AND JUVENILE JUSTICE OVERSIGHT COMMITTEE.* Amends GS 15A-1340.16(d) to add as an aggravating factor for sentencing purposes when the offense is manufacturing methamphetamine that it was committed where a minor lives, was present, or was otherwise endangered by exposure to the drug, its ingredients, by-products or waste. Effective Dec. 1, 2004.
Intro. by Haire, Kiser.
Ref. to Judiciary IV GS 15A

H 1537. MANUFACTURE OF METH/INCREASE PENALTY. *TO INCREASE THE CRIMINAL PENALTY FOR THE UNLAWFUL MANUFACTURE OF METHAMPHETAMINE AS RECOMMENDED BY THE JOINT LEGISLATIVE CORRECTIONS, CRIME CONTROL, AND JUVENILE JUSTICE OVERSIGHT COMMITTEE.* Identical to amendments to GS 90-95(b) contained in S 1054, introduced 5/12/04.
Intro. by Haire, Kiser.
Ref. to Judiciary IV GS 90

H 1538. LOCAL JCPC MEMBERSHIP. *TO AMEND THE MEMBERSHIP REQUIREMENTS OF THE JUVENILE CRIME PREVENTION COUNCILS, AS RECOMMENDED BY THE JOINT LEGISLATIVE CORRECTIONS, CRIME CONTROL, AND JUVENILE JUSTICE OVERSIGHT COMMITTEE.* Amends GS 143B-544 to provide that designees of members of Juvenile Crime Prevention Councils have same authority and voting powers as member who made the designation. Effective July 1, 2004.
Intro. by Haire, Kiser.
Ref. to Judiciary IV GS 143B

H 1539. DEPARTMENT OF VETERANS AFFAIRS. *TO CREATE THE NORTH CAROLINA DEPARTMENT OF VETERANS AFFAIRS.* Amends GS Ch. 165 to create a Department of Veterans Affairs and move the Veterans' Affairs Comm'n from the Dep't of Administration to the Dep't of Veterans Affairs. Effective July 1, 2004.
Intro. by Lucas, Coates.
Ref. to Rules GS 165

H 1540. AUTHORIZING CONSIDERATION OF BILL TO LIMIT UNC OUT-OF-STATE ENROLLMENT. *AUTHORIZING THE 2003 GENERAL ASSEMBLY, REGULAR SESSION 2004, TO CONSIDER A BILL TO BE ENTITLED AN ACT TO LIMIT OUT-OF-STATE UNDERGRADUATE ENROLLMENT AT EACH CONSTITUENT INSTITUTION EXCEPT THE NORTH CAROLINA SCHOOL OF THE ARTS TO EIGHTEEN PERCENT OF THE ENTERING FRESHMAN CLASS AT THE INSTITUTION AND TO APPROPRIATE FUNDS TO ASSIST IN IMPLEMENTING THE ACT.* As title indicates.
Intro. by Warner.
Ref. to Education JOINT RES

H 1541. UNC/CAP OUT-OF-STATE STUDENTS. *TO LIMIT OUT-OF-STATE UNDERGRADUATE ENROLLMENT AT EACH CONSTITUENT INSTITUTION EXCEPT THE NORTH CAROLINA SCHOOL OF THE ARTS TO EIGHTEEN PERCENT OF THE ENTERING FRESHMAN CLASS AT THE INSTITUTION AND TO APPROPRIATE FUNDS TO ASSIST IN IMPLEMENTING THE ACT.* Identical to H 1527 introduced 5/19/04 except appropriates $50,000 instead of $5,000 to Board of Governors to assist with cost of collecting information.
Intro. by Warner.
Ref. to Rules GS 116, APPROP.

H 1542. SHELBY ECONOMIC DEVELOPMENT FUNDS. *TO APPROPRIATE FUNDS TO THE CITY OF SHELBY FOR ECONOMIC DEVELOPMENT GRANTS.* Appropriates $88,000 for 2004-2005 from General Fund to City of Shelby as title indicates. Effective July 1, 2004.
Intro. by Moore.
Ref. to Appropriations LOCAL APPROP

H 1543. ASHEVILLE ABC BOARD MEMBERSHIP INCREASED. *TO INCREASE THE MEMBERSHIP OF THE CITY OF ASHEVILLE BOARD OF ALCOHOLIC CONTROL.* Amends SL 1947, Ch. 1083, Sec. 4, as title indicates.
Intro. by Sherrill, Goforth, Fisher.
Ref. to Loc. Gov. I BUNCOMBE

H 1544. AUTHORIZING CONSIDERATION OF BILL TO TERMINATE PARENTAL RIGHTS OF MURDERERS. *AUTHORIZING THE 2003 GENERAL ASSEMBLY, REGULAR SESSION 2004, TO CONSIDER A BILL TO BE ENTITLED AN ACT TERMINATING THE PARENTAL RIGHTS OF A PARENT WHO MURDERS THE OTHER PARENT OF THE CHILD.* As title indicates.
Intro. by Moore.
Ref. to Judiciary II JOINT RES

H 1545. CHAPEL HILL CAMPAIGN FINANCE OPTIONS (=S 1123). *TO CLARIFY THAT GRANTS FROM UNIFORM PROGRAMS FOR PUBLIC CAMPAIGN FINANCING OF THE TOWN OF CHAPEL HILL DO NOT CONSTITUTE "CONTRIBUTIONS" AND ARE NOT SUBJECT TO RESTRICTIONS ON CONTRIBUTIONS; AND TO CLARIFY THAT THE TOWN OF CHAPEL HILL IS AUTHORIZED TO CONDUCT THOSE PROGRAMS .* Identical to S 1123, introduced 5/17/04.
Intro. by Insko.
Ref. to Election Law ORANGE, DURHAM

H 1546. CHAPEL HILL DEVELOPMENT RIGHTS. *AUTHORIZING THE TRANSFER OF DEVELOPMENT RIGHTS INTO THE URBAN AREA OF THE TOWN OF CHAPEL HILL IN ASSOCIATION WITH CONSERVATION EASEMENTS PURCHASED IN RURAL AREAS OF ORANGE COUNTY.* Enacts new GS 160A-381(a1) as title indicates. Applies to the Town of Chapel Hill only.
Intro. by Insko, Hackney.
Ref. to Loc. Gov. II ORANGE, DURHAM

H 1547. CHAPEL HILL OPEN SPACE. *TO ALLOW THE TOWN OF CHAPEL HILL TO PURCHASE ADDITIONAL LAND FOR OPEN SPACE.* Amends GS 160A-403, as it applies to the Town of Chapel Hill, to allow the city to acquire real property beyond its jurisdiction for open space,
Intro. by Insko, Hackney.
Ref. to Loc. Gov. II ORANGE, DURHAM

H 1548. CHAPEL HILL SPECIAL USES. *AUTHORIZING THE TOWN OF CHAPEL HILL TO EXTEND THE PERIOD OF TIME IN WHICH A SPECIAL USE PERMIT CAN BE DELAYED WHEN PROPERTY IS IDENTIFIED AS A POTENTIAL SCHOOL SITE.* Identical to S 1122, introduced 05/17/04.
Intro. by Insko, Hackney.
Ref. to Loc. Gov. II ORANGE, DURHAM

H 1549. IN-STATE TUITION FOR MILITARY RESERVISTS (=S 1160). *TO AUTHORIZE IN-STATE TUITION FOR MEMBERS OF THE RESERVE COMPONENTS WHO ARE ASSIGNED TO UNITS LOCATED IN NORTH CAROLINA.* Identical to S 1160, introduced 5/19/04.
Intro. by Sutton, K. Williams, Pate, Warner, Lucas, C. Johnson.
Ref. to Military, Veteran & Indian Affairs GS 116

H 1550. MILITARY AFFAIRS COMM. MEMBERSHIP (=S 1159). *TO MODIFY THE MEMBERSHIP OF THE ADVISORY COMMISSION ON MILITARY AFFAIRS.* Identical to S 1159, introduced 5/19/04.
Intro. by Sutton, K. Williams, Pate, Warner, Lucas, C. Johnson.
Ref. to Military, Veteran & Indian Affairs GS 127C

H 1551. ASHEVILLE CIVIL SERVICE BOARD. *RELATING TO THE TERMS OF THE MEMBERS OF THE CIVIL SERVICE BOARD OF THE CITY OF ASHEVILLE.* Provides that members of the Civil Service Board of Asheville serve two-year terms.
Intro. by Sherrill, Goforth, Fisher.
Ref. to Loc. Gov. I GS BUNCOMBE

H 1552. PITT COUNTY SR. CENTER FUNDS. *TO APPROPRIATE FUNDS TO HELP CONSTRUCT THE NEW PITT COUNTY SENIOR CENTER.* Appropriates $500,000 for 2004-2005 from General Fund to Pitt County as title indicates. Effective July 1, 2004.
Intro. by C. Johnson, Warren, McLawhorn.
Ref. to Appropriations LOCAL APPROP

H 1553. GRIMESLAND BOUNDARY RESTATEMENT. *TO RATIFY THE BOUNDARIES OF THE TOWN OF GRIMESLAND BASED ON A NEW SURVEY ALONG THE EXISTING COMMONLY RECOGNIZED BOUNDARY.* As title indicates.
Intro. by C. Johnson.
Ref. to Finance PITT

H 1554. ASSAULT ON LAW OFFICER/EMERGENCY PERSONNEL. *TO MAKE THE OFFENSE OF SIMPLE ASSAULT OR AFFRAY ON A LAW ENFORCEMENT OFFICER, FIREFIGHTER, EMERGENCY MEDICAL*

TECHNICIAN, MEDICAL RESPONDER, EMERGENCY DEPARTMENT NURSE, OR EMERGENCY DEPARTMENT PHYSICIAN A FELONY OFFENSE RATHER THAN A MISDEMEANOR OFFENSE AND TO INCREASE THE PENALTY FOR AN ASSAULT THAT INFLICTS SERIOUS BODILY INJURY OR ASSAULT WITH A DEADLY WEAPON ON EMERGENCY PERSONNEL. Adds GS 14-34.9 to make it a Class I felony to commit an assault, assault and battery, or affray on a law enforcement officer while the officer is discharging official duties. Amends GS 14-34.6 to increase the punishment for assault or an affray on firefighters and emergency responders listed in title (other than law enforcement officers) from a Class A1 misdemeanor to a Class I felony and to increase punishment from a Class I to a Class H felony if in committing that offense person inflicts serious bodily injury or uses a deadly weapon other than a firearm. Effective Dec. 1, 2004, for offenses committed on or after that date.
Intro. by Hill.
Ref. to Rules GS 14

H 1555. TAG AGENTS TITLE TRANSACTION FEE. *TO PROVIDE AN ADDITIONAL FEE TO BE PAID TO COMMISSION CONTRACT AGENTS FOR TRANSACTIONS RELATED TO MOTOR VEHICLE TITLES.* Amends GS 20-63(h) to impose fee of $1.00 as title indicates. Further amends GS 20-85 to increase various title fees payable to DMV by $1.00, to be used for DMV technology improvements. Effective Oct. 1, 2004, and expires Sept. 30, 2007.
Intro. by Sutton.
Ref. to Finance GS 20

H 1556. AUTHORIZING CONSIDERATION OF BILL TO PROHIBIT SALE TO MINORS OF CERTAIN SUBSTANCES. *AUTHORIZING THE 2003 GENERAL ASSEMBLY, REGULAR SESSION 2004, TO CONSIDER A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE SALE TO MINORS OF CERTAIN SUBSTANCES THAT MAY BE HARMFUL IF USED INAPPROPRIATELY.* As title indicates.
Intro. by Goforth.
Ref. to Judiciary IV JOINT RES

H 1557. MILITARY BASE SUPPORT (=S 1157). *TO WAIVE AN AMOUNT EQUAL TO ONE-THIRD OF THE FUEL TAX COLLECTED ON MILITARY INSTALLATIONS EACH YEAR TO ENABLE THE ARMED FORCES TO IMPROVE QUALITY-OF-LIFE PROGRAMS FOR MILITARY MEMBERS AND THEIR FAMILIES IN NORTH CAROLINA.* Identical to S 1157, introduced 5/19/04.
Intro. by K. Williams, Sutton.
Ref. to Appropriations GS 105, 136

H 1558. RECOGNIZING IMPORTANCE OF MILITARY BASES. *RECOGNIZING THE IMPORTANCE OF MILITARY BASES LOCATED IN THIS STATE TO ALL NORTH CAROLINIANS AND EXPRESSING THE GENERAL ASSEMBLY'S INTENT TO SUPPORT PROGRAMS AND STRATEGIES THAT PREVENT ENCROACHMENT UPON MILITARY INSTALLATIONS, AS RECOMMENDED BY THE JOINT SELECT COMMITTEE ON MILITARY AFFAIRS.* As title indicates.
Intro. by K. Williams, Sutton, Pate, Warner, Lucas, C. Johnson.
Ref. to Rules JOINT RES

H 1559. MILITARY BASE LAND PRESERVATION FUND (=S 1158). *TO CREATE A MILITARY BASE LAND PRESERVATION FUND AND TO APPROPRIATE FUNDS TO PROTECT LANDS AROUND MILITARY BASES.* Identical to S 1158, introduced 5/19/04.
Intro. by K. Williams, Sutton, Pate, Warner, Lucas, C. Johnson.
Ref. to Appropriations GS 113, APPROP

H 1560. OSTEOPOROSIS EDUCATION PROGRAM (=S 1073). *TO ESTABLISH THE OSTEOPOROSIS PREVENTION, TREATMENT, AND DIAGNOSIS PROGRAM IN THE DEPARTMENT OF HEALTH AND HUMAN SERVICES.* Identical to S 1073, introduced 5/13/04.
Intro. by Insko.
Ref. to Health GS 130A

H 1561. OSTEOPOROSIS EDUC. FUNDS (=S 1072). *TO APPROPRIATE FUNDS FOR OSTEOPOROSIS EDUCATION AND AWARENESS ACTIVITIES, AS RECOMMENDED BY THE OSTEOPOROSIS EDUCATION TASK FORCE.* Identical to S 1072, introduced 5/13/04.
Intro. by Insko.
Ref. to Appropriations APPROP

H 1562. FUNDS FOR WINSTON-SALEM DELTA FINE ARTS. *TO APPROPRIATE FUNDS TO WINSTON-SALEM DELTA FINE ARTS, INC.* Appropriates $200,000 for 2004-2005 from General Fund to Winston-Salem Delta Fine Arts to complete Arts Center building renovations. Effective July 1, 2004.
Intro. by Parmon, Womble.
Ref. to Appropriations LOCAL APPROP

H 1563. NEUSE REGIONAL WATER & SEWER FUNDS (=S 1119). *TO APPROPRIATE FUNDS TO THE NEUSE REGIONAL WATER AND SEWER AUTHORITY FOR THE CONSTRUCTION OF A NEW REGIONAL WATER SUPPLY TREATMENT PLANT.* Identical to S 1119, introduced 5/17/04.
Intro. by LaRoque, McLawhorn, Wainwright, Warren.
Ref. to Appropriations LOCAL APPROP

H 1564. CHARLOTTE REGIONAL VISITORS AUTHORITY. *TO AMEND THE CHARTER OF THE CITY OF CHARLOTTE CONCERNING THE CHARLOTTE REGIONAL VISITORS AUTHORITY.* Amends Charlotte charter to rename Auditorium Coliseum Convention Center Authority as Charlotte Regional Visitors Authority and to add to duties of authority to engage in programs encouraging convention and visitor promotion. Comm'n to have 13 members, four appointed by Mayor and 9 by city council from specific categories. Effective July 1, 2004.
Intro. by Earle.
Ref. to Loc. Gov. II MECKLENBURG

H 1565. STATE BUDGET ACT. *TO RECODIFY MANY OF THE PROVISIONS OF THE EXECUTIVE BUDGET ACT AND THE CAPITAL IMPROVEMENT PLANNING ACT INTO A STATE BUDGET ACT THAT REVISES AND CLARIFIES THE PROCEDURES FOR PREPARING, ENACTING, AND ADMINISTERING THE STATE BUDGET AND TO MAKE CONFORMING CHANGES AS RECOMMENDED BY THE JOINT COMMITTEE ON EXECUTIVE BUDGET ACT REVISIONS.* Enacts new GS Ch. 143C to implement the Joint Committee's objectives of (1) simplifying, reorganizing, and restating the current budget statutes; (2) discarding out-dated concepts and replacing confusing terminology with modern accounting definitions; and (3) assuring that the constitutional requirement for "acts of appropriation" by the legislature extends beyond the General Fund to encompass the expenditure of all state governmental and proprietary funds. The stated purpose of new GS Ch. 143C is to establish procedures for preparing the recommended state budget, enacting the budget, and administering the budget. The act defines three types of funds: governmental; proprietary; and agency and trust, along with other definitions, in Art. 1. The act's remaining 9 Articles deal with the following subjects: the role of the director of the budget; development of the governor's recommended budget; budget requirements; enactment of the budget; administration of the budget; federal and other receipts; budgeting capital improvements; special funds and fee reports; and penalties for violations of the act. Makes conforming amendments to numerous other statutes. Effective July 1, 2006.
Intro. by Baker, Crawford, Haire, Sherrill.
Ref. to Appropriations GS 7A, 113A, 143, 143C, 116, 143A, 143B, 17D, 18B, 20, 53, 62, 62A, 74, 95, 96, 106, 108A, 113, 115C, 115D, 116D, 117, 120, 121, 122A, 122C, 126, 130A, 131A, 135, 136, 138, 140, 147, 159

H 1566. ABOLISH WILKES COUNTY CORONER (=S 1178). *ABOLISHING THE OFFICE OF CORONER IN WILKES COUNTY.* Identical to S 1178, introduced 5/20/04.
Intro. by Walker.
Ref. to Loc. Gov. I WILKES

H 1567. MILITARY PLANNING NOTICES (=S 1161). *TO REQUIRE COUNTIES AND CITIES NEAR MILITARY INSTALLATIONS TO GIVE NOTICE OF LAND-USE PLANNING CHANGES TO THE MILITARY INSTALLATIONS.* Identical to S 1161, introduced 5/19/04.
Intro. by Sutton, K. Williams.
Ref. to Military, Veteran & Indian Affairs GS 153A, 160A

H 1568. SEPTIC SYSTEM SETBACKS FOR PRE-1977 LOTS (=S 1202). *TO CLARIFY THAT A SEPTIC TANK SYSTEM THAT IS FOR A LOT PLATTED PRIOR TO JULY 1, 1977, AND THAT IS OPERATED IN SOILS THAT ARE IN SOIL GROUP 1 MAY BE LOCATED TEN FEET OR MORE FROM ANY OTHER SEPTIC TANK SYSTEM, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.* Identical to S 1202, introduced 5/20/04.
Intro. by Hill.
Ref. to Health GS 130A

H 1569. COLUMBUS COUNTY SERVICE FEES. *REPEALING THE AUTHORITY OF COLUMBUS COUNTY AND THE MUNICIPALITIES LOCATED WITHIN THAT COUNTY TO ATTACH PERSONAL PROPERTY, GARNISH WAGES, AND PLACE LIENS ON CERTAIN REAL PROPERTY TO COLLECT UNPAID FEES FOR WATER AND SEWER SERVICES.* As title indicates.
Intro. by Hill.
Ref. to Loc. Gov. II COLUMBUS

H 1570. AUTHORIZING CONSIDERATION OF BILL ON GRANTING EXCLUSIVE FEDERAL JURISDICTION . *AUTHORIZING THE 2003 GENERAL ASSEMBLY, REGULAR SESSION 2004, TO CONSIDER A BILL TO BE ENTITLED AN ACT TO REQUIRE APPROVAL OF THE COUNCIL OF STATE BEFORE EXCLUSIVE FEDERAL JURISDICTION IS GRANTED.* As title indicates.
Intro. by A. Williams.
Ref. to Rules JOINT RES

H 1571. WINDOWS ON THE WORLD TECHNOLOGY CENTER FUNDS (=S 1176). *TO APPROPRIATE FUNDS FOR THE WINDOWS ON THE WORLD TECHNOLOGY CENTER.* Identical to S 1176, introduced 5/19/04.
Intro. by A. Williams.
Ref. to Appropriations APPROP

H 1572. HORACE WILLIAMS AIRPORT (=S 1188). *TO REQUIRE THE UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL TO CONTINUE TO OPERATE THE HORACE WILLIAMS AIRPORT.* Identical to S 1188, introduced 5/20/04.
Intro. by Insko.
Ref. to Health GS 116

H 1573. SCIENCE & MATH SCHOOL. *TO STATE THE INTENT OF THE GENERAL ASSEMBLY TO EVALUATE THE TUITION GRANT PROGRAM AVAILABLE TO NORTH CAROLINA RESIDENTS WHO GRADUATE FROM THE NORTH CAROLINA SCHOOL OF SCIENCE AND MATHEMATICS, TO APPROPRIATE FUNDS TO THE BOARD OF GOVERNORS OF THE SCHOOL OF SCIENCE AND MATHEMATICS TO COLLECT INFORMATION REGARDING THE PROGRAM, AND TO DIRECT THE BOARD OF GOVERNORS AND THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO REPORT THEIR FINDINGS AND RECOMMENDATIONS TO THE 2005 GENERAL ASSEMBLY AS TO WHETHER THAT TUITION GRANT PROGRAM SHOULD CONTINUE.* As title indicates. Appropriates $5,000 for fiscal 2004-05 to Board of Governors from General Fund for School of Science and Mathematics to collect data on median family income of students attending the school. Effective July 1, 2004.
Intro. by Luebke.
Ref. to Rules STUDY, APPROP

H 1574. LOWER HAW RIVER STATE NATURAL AREA. *TO AUTHORIZE THE ADDITION OF THE LOWER HAW RIVER STATE NATURAL AREA TO THE STATE PARKS SYSTEM, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.* As title indicates.
Intro. by Hackney.
Ref. to Environment GS 113

H 1575. ABC LICENSEES TO RECYCLE BEVERAGE CONTAINERS. *TO REQUIRE HOLDERS OF CERTAIN ABC PERMITS TO RECYCLE ALL RECYCLABLE BEVERAGE CONTAINERS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.* Adds GS 18B-1006.1 to require holders of on-premises malt beverage, unfortified wine or fortified wine permits and holders of mixed beverage permits to recycle all recyclable containers of beverages sold on premises. Amends GS 130A-309.14 to require NC Alcoholic Beverage Control Comm'n to develop model recycling program for holders of permits listed above. Effective Oct. 1, 2004.
Intro. by Hackney.
Ref. to Environment GS 18B, 130A

H 1576. STUDY TRAFFICKING OF PERSONS (=S 1197). *TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE TRAFFICKING OF PERSONS AS RECOMMENDED BY THE LEGISLATIVE STUDY COMMISSION ON CHILDREN AND YOUTH.* Identical to S 1197, introduced 5/20/04.
Intro. by Justice, Womble.
Ref. to Children, Youth & Families JOINT RES

H 1577. INCREASE CIGARETTE EXCISE TAX TO 75 CENTS. *TO INCREASE THE EXCISE TAX ON CIGARETTES AS RECOMMENDED BY THE LEGISLATIVE STUDY COMMISSION ON CHILDREN AND YOUTH AND TO MAKE OTHER TECHNICAL CORRECTIONS.* Amends GS 105-113.5 to increase excise tax on cigarettes from five to 75 cents per pack. Deletes GS 105-113.5(1) and (2), which provided that tax does not apply to sample cigarettes in packs of five or less and to cigarettes given to employees of cigarette manufacturers. Effective July 1, 2004.
Intro. by Justice, Womble.
Ref. to Finance GS 105

H 1578. PENDER RESCUE SERVICE FEE. *TO ALLOW PENDER COUNTY TO ASSESS AN EMERGENCY MEDICAL SERVICE FEE.* As title indicates. Fee to consist of flat fee per parcel that contains any of structures listed in bill. Fee to be a lien on property collectable in same manner as delinquent property taxes.
Intro. by Justice.
Ref. to Finance PENDER

H 1579. FILM INDUSTRY DEVELOPMENT ACCOUNTS FUND. *TO APPROPRIATE FUNDS TO THE FILM INDUSTRY DEVELOPMENT ACCOUNT.* Appropriates $5,000,000 for 2004-2005 from General Fund to Dep't of Commerce as title indicates. Effective July 1, 2004.
Intro. by Harrell, McComas.
Ref. to Appropriations APPROP

H 1580. FUNDS FOR OFFICE OF MINORITY HEALTH. *TO APPROPRIATE FUNDS TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES FOR THE OFFICE OF MINORITY HEALTH.* Appropriates $250,000 for 2004-2005 from General Fund to Dep't of Health & Human Services as title indicates. Effective July 1, 2004.
Intro. by Wright.
Ref. to Appropriations APPROP

H 1581. PHASE II STORMWATER MANAGEMENT-2. *TO PROVIDE FOR IMPLEMENTATION OF FEDERAL PHASE II STORMWATER MANAGEMENT REQUIREMENTS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.* Provides that application for a Phase II National Pollutant Discharge Elimination System permit for stormwater management is timely received if submitted to DENR in accordance with temporary rule of Environmental Management Comm'n. To obtain permit, applicant must develop, implement and enforce a stormwater management plan approved by DENR that satisfies six minimum control measures required by federal regulations. Requires evaluation of post-construction stormwater management measures to be conducted as provided in temporary rule of Environmental Management Comm'n. Sets following deadlines for Phase II stormwater implementation: Nov. 1, 2004, for DENR to send draft permit decision to public notice of application submitted by local gov't designated as urbanized area under 1990 census; May 1, 2005, for draft permit decision to public notice of application submitted by local gov't designated as urbanized area by 2000 census; local gov't post-construction stormwater management measures must become effective within 24 months after permit issued.
Intro. by Gibson, McComas.
Ref. to Environment UNCODIFIED

H 1582. WATER CONSERVATION/SUBMETERS. *TO PROMOTE WATER CONSERVATION IN MULTIFAMILY RESIDENTIAL PROPERTIES BY AMENDING VARIOUS STATE LAWS REGARDING THE USE OF SUBMETERS IN CONSECUTIVE WATER SYSTEMS IN LIGHT OF CHANGES IN POLICY RELATED TO WATER TESTING REQUIREMENTS AND WATER CONSERVATION BY THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.* Adds GS 42-42.1 to provide that landlord, pursuant to written rental agreement, may allocate cost of providing water and sewer service to tenant. Cost allocated to tenant cannot exceed actual price of water and sewer service plus a reasonable administrative fee not to exceed $3.75 per month. Specifies how landlord computes tenant's usage; requires landlord to maintain records of how tenant's allocated costs were calculated for at least 12 months; and specifies information that must be included in landlord's bill to tenant for water and sewer service. Prohibits landlord from disconnecting or terminating tenant's water and sewer services for nonpayment; allows written rental agreement to provide for late fee of not more than $5 if payment for water and sewer services has not been received within 25 days of billing; provides that landlord may bring a summary ejectment action against tenant for failure to pay rent if tenant has failed to pay for water and sewer services within 25 days after bill is sent by landlord, but allows tenant to cut off eviction by tendering payment for water and sewer services and costs of action before judgment is given. Amends GS 62-110(g), which allowed Utilities Comm'n to adopt procedures to allow landlords to allocate costs for water and sewer service on metered use basis, to provide Comm'n does not have jurisdiction over allocation of costs by landlords under GS 42-42.1. Makes conforming change to GS 130A-315(d). Effective July 1, 2004.
Intro. by Gibson.
Ref. to Environment GS 42, 42, 130A

H 1583. DRY CLEANING SOLVENT CLEANUP ACT AMENDMENTS. *TO INCREASE THE PERCENTAGE OF REVENUE CREDITED TO THE DRY-CLEANING SOLVENT CLEANUP FUND THAT MAY BE USED TO PAY COSTS OF ASSESSMENT OR REMEDIATION OF DRY-CLEANING SOLVENT CONTAMINATION THAT OCCURRED PRIOR TO 1 JULY 2001, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.* Amends SL 2001-265, sec. 2.(c), as title indicates, increasing the percentage of revenues that may be credited to 25% (was, 10%). Effective July 1, 2004.
Intro. by Gibson.
Ref. to Environment UNCODIFIED

H 1584. LEAKING UST FUND LIQUIDITY. *TO IMPROVE AND ACCELERATE PROCESSING OF CLAIMS UNDER THE LEAKING PETROLEUM UNDERGROUND STORAGE TANK CLEANUP PROGRAM, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.* Adds GS 143-215.94Q to authorize the DENR to enter into discussions with incorporator of nonprofit corporation to be formed to provide liquidity for owners with claims against the Commercial Fund and Noncommercial Fund (for cleanup of leaking petroleum underground storage tanks) and against similar funds in other states. Dep't authorized to enter into agreement with nonprofit corporation or other agencies to establish liquidity program if Sec'y makes written determination that claimholders will benefit from state's participation in liquidity program. Allows state to be represented on board of directors of nonprofit corporation; authorizes DENR to make payments with respect to claims made by owner directly to nonprofit corporation upon receipt of document assigning claim to corporation. Prohibits DENR from entering into contract that commits it to make payments in excess of aggregate face amount of approved claims against Commercial Fund and Noncommercial fund purchased under the liquidity program.
Intro. by Gibson.
Ref. to Environment GS 143

H 1585. PHASE II STORMWATER MANAGEMENT-1 (=S 1210). *TO PROVIDE FOR IMPLEMENTATION OF FEDERAL PHASE II STORMWATER MANAGEMENT REQUIREMENTS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.* Identical to S 1210, introduced 5/20/04.
Intro. by Gibson, McComas, Hackney.
Ref. to Environment UNCODIFIED

H 1586. CLARIFY FEE AUTHORITY OF MASSAGE THERAPY BD. (=S 1095). *TO CLARIFY THAT THE NORTH CAROLINA BOARD OF MASSAGE AND BODYWORK THERAPY DOES NOT HAVE THE AUTHORITY TO ESTABLISH FEES RELATED TO THE APPROVAL OF MASSAGE AND BODYWORK THERAPY SCHOOLS.* Identical to S 1095, introduced 5/17/04.
Intro. by Gibson.
Ref. to Finance GS 90

H 1587. LOCKSMITH CRIMINAL HISTORY RECORD CHECK FEE (=S 1128). *TO AUTHORIZE THE NORTH CAROLINA DEPARTMENT OF JUSTICE TO CHARGE EACH APPLICANT FOR A LOCKSMITH LICENSE OR AN APPRENTICE DESIGNATION A CRIMINAL HISTORY RECORD CHECK FEE.* Identical to S 1128, introduced 5/18/04.
Intro. by Gibson.
Ref. to Finance GS 74F

H 1588. MONROE CLAIMS SETTLEMENT. *TO AMEND THE CHARTER OF THE CITY OF MONROE TO ALLOW THE CITY COUNCIL TO DELEGATE TO THE CITY MANAGER THE POWER TO SETTLE CERTAIN CLAIMS AGAINST THE CITY.* As title indicates. Effective July 1, 2004.
Intro. by Gibson.
Ref. to Loc. Gov. I UNION

H 1589. MONTGOMERY COMMISSIONER ELECTIONS. *CODIFYING THE METHOD OF ELECTING THE MONTGOMERY COUNTY BOARD OF COMMISSIONERS AS ORDERED BY THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF NORTH CAROLINA.* As title indicates.
Intro. by Gibson.
Ref. to Loc. Gov. I MONTGOMERY

H 1590. REDUCE FRANCHISE TAX. *TO REMOVE THE MINIMUM FRANCHISE TAX BASE FOR CORPORATIONS EXPERIENCING A NET ECONOMIC LOSS.* Adds new GS 105-122(d2) to provide that a "net loss corporation" is one that, on the current income tax return, had no state net income under Art. 4, GS Ch. 105, as a result of a net economic loss in the current year or a caryforward of a net economic loss from a prior year under GS 105-1230.8. In the case of a net loss corporation, the tax imposed by GS 105-122 is levied on its total capital stock, surplus, and undivided profits as determined under GS 105-122(b) and (c) without regard to the appraised value as determined for ad valorem taxation of all the real and tangible personal property in NC of the corporation plus the total appraised value of intangible property returned for taxation of intangible personal property or its total actual investment in tangible property in NC. Effective Jan. 1, 2005.
Intro. by Gibson.
Ref. to Finance GS 105

H 1591. FUNDS FOR MURDOCH CENTER. *TO APPROPRIATE FUNDS TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES FOR THE PARTNERS IN AUTISM TREATMENT AND HABILITATION PROGRAM (PATH).* Appropriates $519,027 for 2004-2005 from General Fund to Dep't of Health & Human Services as title indicates. Effective July 1, 2004.
Intro. by Nye.
Ref. to Appropriations APPROP

H 1592. COALITION 2001 FUNDS. *TO APPROPRIATE FUNDS TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO FUND SERVICES AND SUPPORT FOR MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES COMMUNITY-BASED PROGRAM, AS REQUESTED BY COALITION 2001.* Appropriates $38,250,000 for 2004-2005 from General Fund to Dep't of Health & Human Services as title indicates. Effective July 1, 2004.
Intro. by Nye.
Ref. to Appropriations APPROP

H 1593. SWANSBORO ANNEXATION. *TO ANNEX CERTAIN DESCRIBED PROPERTY TO THE TOWN OF SWANSBORO.* As title indicates. Effective June 30, 2004.
Intro. by Preston, K. Williams.
Ref. to Finance ONSLOW

H 1594. ALARM SYSTEM LICENSURE FEES. *AUTHORIZING THE ALARM SYSTEMS LICENSING BOARD TO INCREASE CERTAIN FEES AND ESTABLISH A NEW FEE UNDER THE ALARM SYSTEMS LICENSURE ACT.* As title indicates, amends GS 74D-7(e) to increase new or renewal license fee to $500 (was, $350) and

registration fee to $50 (was, $20). Enacts new GS 74D-7(e)(7) authorizing additional fee of up to $100 for reconsideration of license or registration permits returned due to correctable errors.
Intro. by Haire.
Ref. to Finance GS 74D

H 1595. SUSPEND ADVANCE DIRECTIVE REGISTRY FEE. *TO SUSPEND FOR ONE WEEK THE FEE FOR FILING A DOCUMENT WITH THE ADVANCE HEALTH CARE DIRECTIVE REGISTRY IN THE OFFICE OF THE SECRETARY OF STATE, SO AS TO PROMOTE PUBLIC AWARENESS AND TO SHARPLY INCREASE UTILIZATION OF THE REGISTRY.* Suspends $10 fee from November 14-20, 2004 as title indicates.
Intro. by Culp.
Ref. to Finance GS 130A

H 1596. CAROLINA LAKES MOTOR VEHICLE REGULATION. *TO PROVIDE THAT THE LAWS RELATING TO MOTOR VEHICLES APPLY ON THE STREETS OWNED BY THE CAROLINA LAKES PROPERTY OWNERS' ASSOCIATION IN HARNETT COUNTY.* As title indicates.
Intro. by Lewis.
Ref. to Loc. Gov. I HARNETT

H 1597. FIRST DEFENDER DISTRICT/FUNDS. *TO APPROPRIATE FUNDS TO ESTABLISH A PUBLIC DEFENDER'S OFFICE IN THE FIRST DEFENDER DISTRICT.* Establishes a public defender in the first defender district (Camden, Chowan, Currituck, Dare, Pasquotank and Perquimans counties) and appropriates $600,000 for fiscal 2004-2005 from General Fund to Judicial Dep't, Office of Indigent Defense Services for that purpose.
Intro. by Culpepper.
Ref. to Appropriations GS 7A, APPROP

H 1598. CHARITABLE BINGO FEE/PRIZE LIMITS INCREASED. *TO INCREASE THE LICENSING FEE AND PRIZE LIMITS FOR CHARITABLE BINGO.* Amends GS 14-309.7(a) and –309.9(a) as title indicates. Increases licensing fee to $200 (was, $100). Increases maximum value of prize to $1,000 (was, $500), maximum aggregate amount of prizes that may be offered in one bingo session to $3,000 (was, $1,500), and maximum aggregate if only one session of bingo is held each week to $5,000 (was, $2,500).
Intro. by Culpepper.
Ref. to Finance GS 14

H 1599. LABOR AUDIT SYSTEMS/INCENTIVES. *TO ALLOW INCOME TAX CREDITS TO EMPLOYERS THAT IMPLEMENT AUTOMATED TRACEABLE AUDIT SYSTEMS TO TRACK HOURLY EMPLOYEE WORK TIME AND ATTENDANCE.* Enacts new GS 105-129.16D as title indicates, allowing credit equal to 15% of eligible expenditures. Effective for tax years beginning on or after Jan. 1, 2005.
Intro. by Goodwin.
Ref. to Finance GS 105

H 1600. FUNDS FOR ASTHMA PROGRAMS. *TO APPROPRIATE FUNDS TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES FOR STATEWIDE ASTHMA MANAGEMENT AND CONTROL ACTIVITIES.* Appropriates $250,000 for 2004-2005 from General Fund to Dep't of Health & Human Services as title indicates. Effective July 1, 2004.
Intro. by Wright.
Ref. to Appropriations APPROP

H 1601. FUNDS FOR DIABETES PROGRAMS. *TO APPROPRIATE FUNDS TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES FOR DIABETES CONTROL ACTIVITIES.* Appropriates $250,000 for 2004-2005 from General Fund to Dep't of Health & Human Services as title indicates. Effective July 1, 2004.
Intro. by Wright.
Ref. to Appropriations APPROP

H 1602. TAX CREDIT FOR CERTAIN REAL PROP. DONATIONS. *TO RECODIFY THE CREDIT FOR CERTAIN REAL PROPERTY DONATIONS AND TO INCREASE THE CREDIT FOR CERTAIN PASS-THROUGH ENTITIES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.* As title indicates,

recodifies GS 105-130.34 and –151.12 into new 105-163.021 and adds credit of up to $500,000 for pass-through entities. Effective for taxable years beginning on or after Jan. 1, 2005.
Intro. by McComas.
Ref. to Finance GS 105

H 1603. LIMIT LIABILITY FOR ENVIRONMENTAL CLEANUPS (=S 1222). *TO PROMOTE ECONOMIC DEVELOPMENT BY FACILITATING THE REUSE OF CONTAMINATED REAL PROPERTY BY LIMITING THE LIABILITY OF PURCHASERS OF CONTAMINATED PROPERTY IN CIRCUMSTANCES WHERE THE SELLER OF THE PROPERTY OR ANOTHER PARTY ASSUMES RESPONSIBILITY FOR RESPONSE, REMEDIATION, AND NATURAL RESOURCES RESTORATION OF THE PROPERTY, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.* Identical to S 1222, introduced 5/20/04.
Intro. by McComas.
Ref. to Environment GS 105, 130A, 143

H 1604. GREENSBORO CLAIM SETTLEMENTS. *TO AMEND THE GREENSBORO CITY CHARTER TO INCREASE THE AUTHORITY OF THE CITY MANAGER TO SETTLE CLAIMS AGAINST THE CITY FROM FIFTY THOUSAND DOLLARS TO THREE HUNDRED THOUSAND DOLLARS.* Amends Greensboro City Charter, sec. 7.03, as title indicates.
Intro. by Bowie, Adams, Jones, Jeffus, Blust, Wood.
Ref. to Loc. Gov. II GUILFORD

H 1605. FAMILY COURT FUNDS. *TO APPROPRIATE FUNDS TO ESTABLISH THREE NEW FAMILY COURT PILOT PROGRAMS.* Appropriates $900,000 for 2004-2005 from General Fund to Judicial Dep't as title indicates. Effective July 1, 2004.
Intro. by Bowie, McLawhorn, Sherrill.
Ref. to Appropriations APPROP

H 1606. DEFENSE OF MARRIAGE (=S 1057). *TO AMEND THE CONSTITUTION TO PROVIDE THAT MARRIAGE IS THE UNION OF ONE MAN AND ONE WOMAN AT ONE TIME, AND THIS IS THE ONLY MARRIAGE THAT IS RECOGNIZED AS VALID IN THIS STATE.* Identical to S 1057, introduced 5/13/04.
Intro. by Moore, Crawford, Gorman, Hill.
Ref. to Rules CONST

H 1607. STATE NAT. & HIST. PRESERVE REMOVALS (=S 1224). *TO REMOVE CERTAIN LANDS FROM THE STATE NATURE AND HISTORIC PRESERVE AND TO DELETE A PORTION OF A PARK FROM THE STATE PARKS SYSTEM, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.* Identical to S 1224, introduced 5/20/04.
Intro. by Weiss, Miner.
Ref. to Environment GS 143

H 1608. GREENSBORO ORDINANCE PUBLICATION. *TO AMEND THE GREENSBORO CITY CHARTER SO THE CITY CAN FOLLOW THE GENERAL LAW ON NOTICE OF ADOPTION OF ORDINANCES.* As title indicates. Effective with respect to ordinances adopted on or after the date the act becomes law.
Intro. by Adams, Bowie, Jones, Jeffus, Blust, Wood.
Ref. to Loc. Gov. II GUILFORD

H 1609. CORRECT STREAMLINED SALES TAX INEQUITY. *TO ADOPT A PROVISION ALLOWED UNDER THE STREAMLINED SALES TAX AGREEMENT THAT TREATS ALL PRINTERS EQUALLY.* Enacts new GS 105-164.13(49a), exempting from the retail sales and use tax delivery charges for delivery or distribution of direct mail if the charges are separately stated on an invoice or billing document provided to the purchaser. Applies to sales on or after Oct. 1, 2004.
Intro. by Miner.
Ref. to Finance GS 105

H 1610. INTERNATIONAL CIVIL RIGHTS MUSEUM FUNDS. *TO APPROPRIATE FUNDS FOR THE INTERNATIONAL CIVIL RIGHTS CENTER AND MUSEUM.* Appropriates $1,000,000 for 2004-2005 from General Fund to Sit-In Movement, Inc. as title indicates. Effective July 1, 2004.
Intro. by Adams.
Ref. to Appropriations LOCAL APPROP

H 1611. NC A&T MATCHING FUNDS. *TO APPROPRIATE FUNDS TO THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA FOR NORTH CAROLINA AGRICULTURAL AND TECHNICAL STATE UNIVERSITY TO USE AS MATCHING FUNDS.* Appropriates $2,239,199 for 2004-2005 from General Fund to UNC Board of Governors as title indicates. Effective July 1, 2004.
Intro. by Adams.
Ref. to Appropriations APPROP

H 1612. EAST MARKET STREET REVITALIZATION FUNDS. *TO APPROPRIATE FUNDS TO THE EAST MARKET STREET DEVELOPMENT CORPORATION.* Appropriates $500,000 for 2004-2005 from General Fund to East Market Street Development Corp. for the redevelopment of the old Post Office site on East Market Street in Greensboro. Effective July 1, 2004.
Intro. by Adams.
Ref. to Appropriations LOCAL APPROP

H 1613. CHOWAN HUNTING LAWS. *TO AMEND THE LAW IN CHOWAN COUNTY REGULATING HUNTING ON PRIVATE LAND, TO REGULATE THE DISCHARGE OF A CENTER-FIRE RIFLE IN CHOWAN COUNTY, AND TO ADD CHOWAN COUNTY TO THOSE COUNTIES IN WHICH IT IS UNLAWFUL TO REMOVE OR DESTROY ELECTRONIC COLLARS ON DOGS.* Amends GS 14-401.17(d) as title indicates. Amends SL 1986, Ch. 868, sec. 2, to delete provision exempting transportation of a center-fire rifle on lands of another from violation of sec. Further adds new sec. 2(a)-(c), making it unlawful to hunt with a center-fire rifle unless the barrel is at least eight feet above ground level, violation punishable as a Class 3 misdemeanor. Effective Oct. 1, 2004.
Intro. by Culpepper.
Ref. to Wildlife CHOWAN

H 1614. LENOIR ABC PROFIT DISTRIBUTIONS TO BE ANNUAL. *TO PROVIDE THAT THE LENOIR COUNTY ABC BOARD MAY MAKE ANNUAL RATHER THAN QUARTERLY DISTRIBUTIONS OF THE PROCEEDS FROM THE ABC SYSTEM.* As title indicates.
Intro. by LaRoque.
Ref. to Loc. Gov. I LENOIR

H 1615. ENVIRONMENTAL REPORTS AMENDMENTS. *TO AMEND VARIOUS ENVIRONMENTAL REPORTING REQUIREMENTS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.* Requires annual report to the Environmental Review Comm'n under the Sediment Control Act to cover the effectiveness of state and local sediment and erosion control efforts, and changes the date of the report. Deletes required report by the Dep't of Administration on purchase by the state of alternative-fueled and low emission vehicles. Requires new annual report on drought and measures to mitigate its effects.
Intro. by Gibson.
Ref. to Environment GS 113A,143

H 1616. ENVIRONMENTAL TECHNICAL CORRECTIONS. *TO MAKE CLARIFYING, CONFORMING, AND TECHNICAL AMENDMENTS TO VARIOUS LAWS RELATED TO THE ENVIRONMENT, PUBLIC HEALTH, AND NATURAL RESOURCES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.* As title indicates.
Intro. by Gibson.
Ref. to Wildlife GS 113, 121

CALENDAR ACTION
May 20, 2004

NOTES
1. Amendments and committee substitutes adopted today are summarized in the following section of today's Daily Bulletin.
2. The dates on which previous amendments or committee substitutes were adopted are listed below bill numbers.
3. The action "Cal Pursuant Rule 36b" indicates that the bill has been reported by committee and is awaiting calendaring by the Rules Committee.
4. Enacted bills are indicated by #, failed bills by *.

PUBLIC BILLS

H1227 FINANCE PARKS AND HERITAGE.	HA	REPTD FAV COM SUBSTITUTE
	H	CAL PURSUANT RULE 36(B)
05-20-04		
H1352 EMERGENCY FUNDING FOR ONE NC & NEIT.	H	AMEND FAILED #1
	H	PASSED 2ND READING
05-19-04		
H1356 INCREASE FEES/QUALIFS. FOR DWI ASSESSMENTS.	H	REPTD FAV
	H	CAL PURSUANT RULE 36(B)
H1448 NOTICE PERIOD FOR SALES AND USE TAX REFUNDS.	H	REPTD FAV
	H	CAL PURSUANT RULE 36(B)
H1465 ALLOW FAMILY BUSINESS TO LEASE FARMLAND.	H	REPTD FAV
	H	CAL PURSUANT RULE 36(B)
H1497 ADOPT FLAT FEE FOR DEBT COLLECTION.	H	REPTD FAV
	H	CAL PURSUANT RULE 36(B)
S0623 DOWNTOWN ADULT RESIDENTIAL FACILITY	S	PRES. TO GOV. 5/20/2004
04-24-03, 05-13-04		
S0868 ASSAULT IN THE PRESENCE OF A CHILD.	H	WITHDRAWN FROM COMM
	H	RE-REF COM ON FINANCE
04-24-03		

LOCAL BILLS

H1386 INDIAN TRAIL TOWN ATTORNEY.	HA	REPTD FAV COM SUBSTITUTE
	H	CAL PURSUANT RULE 36(B)
05-20-04		
H1401 WILKES VISITOR CENTER.	H	PASSED 2ND & 3RD READING
H1425 MORGANTON/BURKE/BROUGHTON MUTUAL AID.	H	WITHDRAWN FROM COMM
	H	RE-REF COM ON LOCAL GOVERNMENT I
H1426 GREENVILLE PARKING DECK PROJECTS.	HA	REPTD FAV COM SUBSTITUTE
	H	CAL PURSUANT RULE 36(B)
05-20-04		
H1433 WAKE CTY HISTORIC PRESERVATION COMM.	HA	REPTD FAV COM SUBSTITUTE
	H	CAL PURSUANT RULE 36(B)
05-20-04		
H1447 CITY OF GREENVILLE-ABANDONED/JUNKED VEHICLES.	H	POSTPONED TO 5/24/2004

SUMMARIES OF AMENDMENTS AND COMMITTEE SUBSTITUTES

HOUSE BILLS

H 1227. FINANCE PARKS AND HERITAGE. Intro. 4/17/2003. House committee substitute makes the following changes to 1st edition. Changes authorization for parks renovation and acquisition as well as natural heritage

projects from "financing contract indebtedness" to "special indebtedness." Limits the allocation of annual appropriation to reimburse the General Fund for debt service to 50% for both parks renovation and acquisition and natural heritage projects. Deletes provisions for State Capital Facilities finance.

H 1386. INDIAN TRAIL TOWN ATTORNEY. Intro. 5/12/04. House committee substitute makes the following changes to 1st edition. Makes technical changes only.

H 1426. GREENVILLE PARKING DECK PROJECTS. Intro. 5/13/04. House committee substitute makes the following changes to 1st edition. Provides that GS 143-128.2 and 143-128.3 apply to the relevant projects. Adds a sunset provision of January 1, 2010.

H 1433. WAKE CTY HISTORIC PRESERVATION COMM. Intro. 5/13/2004. House committee substitute makes the following changes to 1st edition. Removes link between effective date and ratification of appointments to the Wake County Historic Preservation Commission.

Correction

H 1513. INCREASE LOCAL GOV'T DEATH BENEFIT. *TO INCREASE THE MAXIMUM DEATH BENEFIT PAYABLE FROM THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM.* Corrected Summary Amends GS 128-27(l) as title indicates to increase the maximum benefit from $20,000 to $50,000, effective July 1, 2004.
Intro. by Bell, G. Wilson.
Ref. to Pensions GS 128

NEXT SESSIONS

May 24 2004

HOUSE convenes at 7:00 p.m.

SENATE convenes at 7:00 p.m.

441
2004/9

Daily Bulletin

ACTIONS BY THE NORTH CAROLINA GENERAL ASSEMBLY

Institute *of* Government—School of Government
The University of North Carolina at Chapel Hill
Legislative Reporting Service, Box 7294 State Legislative Building, Raleigh, NC 27601
Phone 919.733.2484 Fax 919.715.3464

House Legislative Day 112 Vol. 2004, No. 9 Senate Legislative Day 114

Monday, May 24, 2004

BILLS INTRODUCED TODAY

BILL #	SHORT TITLE	IDEN	COMMITTEE	GS INDEX OR COUNTIES AFFECTED
S 1228	BLANK APPROPRIATIONS BILL-1		RULES	APPROP
S 1229	NATIONAL GUARD FAMILY ASSISTANCE FUNDS		APPROPRIATIONS	APPROP
S 1230	MODIFY FINANCE LAWS FOR 2004–2005		RULES	105
S 1231	MODIFY FINANCE LAWS FOR 2004–2005-2		RULES	105
S 1232	AUTHORIZING CONSIDERATION OF BILL ON GRANTING EXCLUSIVE FEDERAL JURISDICTION	H 1570	RULES	JOINT RES
S 1233	PINEBLUFF UNOPENED TROLLEY EASEMENTS		ST. GOV.	MOORE
S 1234	WAKE COUNTY FAMILY COURT FUNDS	H 1434	APPROPRIATIONS	APPROP
S 1235	DRUG TREATMENT COURT FUNDS		APPROPRIATIONS	APPROP
S 1236	SE REGIONAL HORSE ARENA FUNDS		APPROPRIATIONS	APPROP
S 1237	12TH SENATORIAL DISTRICT LOCAL ACT-1		RULES	JOHNSTON, WAYNE
S 1238	GARNER/UNSAFE RESIDENTIAL BUILDINGS		ST. GOV.	WAKE
S 1239	GATEWAY TECHNOLOGY CENTER FUNDS		APPROPRIATIONS	APPROP
S 1240	STATE EMPLOYEES/TEACHERS PAY INCREASES	H 1384	APPROPRIATIONS	APPROP
S 1241	12TH SENATORIAL DISTRICT LOCAL ACT-2		RULES	JOHNSTON, WAYNE
S 1242	WITHHOLDING EXEMPTION DOCUMENTATION		FINANCE	105
S 1243	FUNDS FOR WINSTON-SALEM DELTA FINE ARTS	H 1562	APPROPRIATIONS	LOCAL APPROP
S 1244	AMEND NC CEMETERY ACT/INCREASE FEES		FINANCE	65
S 1245	FUNDS FOR HOSIERY TECHNOLOGY CENTER		APPROPRIATIONS	APPROP
S 1246	BLANK APPROPRIATIONS BILL-2		RULES	APPROP
S 1247	FUNDS FOR WAKEMED EMERGENCY SVCES INSTITUTE		APPROPRIATIONS	LOCAL APPROP
S 1248	DOROTHEA DIX PROPERTY/DEVLMPT. OF MASTER PLAN		APPROPRIATIONS	STUDY, APPROP
S 1249	RETIREMENT/TEACHER EXCHANGE PROGRAMS	H 1478	PENSIONS	115C, 135
S 1250	GREENSBORO ORDINANCE PUBLICATION	H 1608	ST. GOV.	GUILFORD
S 1251	CITY OF GREENSBORO LOCAL ACT		RULES	GUILFORD
S 1252	GREENSBORO CLAIM SETTLEMENTS	H 1604	ST. GOV.	GUILFORD
S 1253	CORRECT STREAMLINED SALES TAX INEQUITY	H 1609	FINANCE	105
S 1254	RESPIRATORY CARE BD/BACKGROUND CHECKS/FEES		FINANCE	90
S 1255	CHILD WELFARE APPROPRIATION MATTERS	H 1441	APPROPRIATIONS	APPROP
S 1256	URGING CONGRESS TO CONSIDER AMENDMENT TO PERMIT CHILD PROTECTIVE SERVICES WORKERS TO OBTAIN FEDERAL CRIMINAL HISTORIES WHEN INVESTIGATING ALLEGATIONS OF CHILD ABUSE AND NEGLECT	H 1439	HELD AS FILED	SEN RES
S 1257	CHILD WELFARE COLLABORATIVE FUNDS	H 1524	APPROPRIATIONS	APPROP
S 1258	STANLY MAGISTRATE FUNDS		APPROPRIATIONS	APPROP
S 1259	CHILD CARE SUBSIDY FUNDS	H 1525	APPROPRIATIONS	APPROP
S 1260	ROWAN COUNTY LOCAL ACT		RULES	ROWAN
S 1261	CABARRUS COUNTY LOCAL ACT-2		RULES	CABARRUS
S 1262	36TH SENATORIAL DISTRICT LOCAL ACT-2		RULES	CABARRUS, ROWAN

N.C. DOCUMENTS CLEARINGHOUSE
JUN 02 2004
STATE LIBRARY OF NORTH CAROLINA
RALEIGH

This publication is printed on permanent, acid-free paper in compliance with the North Carolina General Statutes.
Institute of Government—School of Government
The University of North Carolina at Chapel Hill

© 2004

S 1263	NOTICE OF ADD'L BUILDING CODE REQUIREMENTS		COMMERCE	APPROP
S 1264	CHARLOTTE REGIONAL VISITORS AUTHORITY	H 1564	ST. GOV.	MECKLENBURG
S 1265	ORANGE CAMPUS PRECINCTS		ST. GOV.	ORANGE
S 1266	FUNDS FOR OUR CHILDREN'S PLACE		APPROPRIATIONS	APPROP
S 1267	INCREASE CIGARETTE EXCISE TAX TO 75 CENTS		FINANCE	105
S 1268	LRC STUDY/NATUROPATHIC PRACT'R. LIC./FUNDS		RULES	STUDY
S 1269	ABC LICENSEES TO RECYCLE BEVERAGE CONTAINERS	H 1575	AGRICULTURE	18B
S 1270	LOWER HAW RIVER STATE NATURAL AREA	H 1574	AGRICULTURE	113
S 1271	5-YR PHASE OUT COUNTY MEDICAID SHARE		APPROPRIATIONS	108A
S 1272	FUNDS FOR NORTHAMPTON DRUG INVESTIGATIONS		APPROPRIATIONS	APPROP
S 1273	ROCKINGHAM COUNTY LOCAL ACT-1		RULES	ROCKINGHAM
S 1274	ROCKINGHAM COUNTY LOCAL ACT-2		RULES	ROCKINGHAM
S 1275	GUILFORD COUNTY LOCAL ACT-1		RULES	GUILFORD
S 1276	GUILFORD COUNTY LOCAL ACT-2		RULES	GUILFORD
S 1277	MADISON TOWN ELECTION		ST. GOV.	ROCKINGHAM
S 1278	CAP GAS TAX VARIABLE RATE		FINANCE	105
S 1279	M & M FIRE DISTRICT CONTRACTS		ST. GOV.	ROCKINGHAM
S 1280	BLADEN COUNTY LOCAL ACT		RULES	BLADEN
S 1281	CUMBERLAND COUNTY LOCAL ACT		RULES	CUMBERLAND
S 1282	19TH SENATORIAL DISTRICT LOCAL ACT-2		RULES	BLADEN, CUMBERLAND
S 1283	APPOINTMENT BILL		RULES	UNCODIFIED
S 1284	BLANK APPROPRIATIONS BILL-2		RULES	APPROP
S 1285	BLANK APPROPRIATIONS BILL-3		RULES	APPROP
S 1286	ELIZABETHTOWN CHARTER AMENDMENTS	H 1619	ST. GOV.	BLADEN
S 1287	19TH SENATORIAL DISTRICT LOCAL ACT		RULES	BLADEN, CUMBERLAND
S 1288	MOORESVILLE STREETS AND SIDEWALKS		ST. GOV.	IREDELL
S 1289	REDUCE TAXES/CUT GOVERNMENT SPENDING		FINANCE	105, 115C, APPROP
S 1290	FUNDS FOR MENTAL HEALTH SERVICES		APPROPRIATIONS	APPROP
S 1291	FUNDS TO EQUALIZE STATE FUNDING/MH PROGRAMS		APPROPRIATIONS	APPROP
S 1292	NC A&T MATCHING FUNDS	H 1611	APPROPRIATIONS	APPROP
S 1293	LELAND SATELLITE ANNEXATION		FINANCE	BRUNSWICK
S 1294	COLUMBUS COUNTY VISITOR CENTER FUNDS		APPROPRIATIONS	20, APPROP
S 1295	HAVELOCK SENIOR CENTER FUNDS		APPROPRIATIONS	LOCAL APPROP
S 1296	TRYON PALACE FUND		APPROPRIATIONS	APPROP
S 1297	2ND SENATORIAL DISTRICT LOCAL ACT-1		RULES	CARTERET, CRAVEN, PAMLICO
S 1298	2ND SENATORIAL DISTRICT LOCAL ACT-2		RULES	CARTERET, CRAVEN, PAMLICO
S 1299	BLANK APPROPRIATIONS BILL-2		RULES	APPROP
S 1300	COMM COLLEGE FACULTY/PROF. STAFF SALARIES	H 1404	APPROPRIATIONS	APPROP
S 1301	PHOSPHOROUS NUTRIENT MGT./ANIMAL FEEDLOTS		AGRICULTURE	143, STUDY
S 1302	ENVIRONMENTAL TECHNICAL CORRECTIONS	H 1616	AGRICULTURE	113
S 1303	ENVIRONMENTAL REPORTS AMENDMENTS	H 1615	AGRICULTURE	113A, 143
H 1617	BURLEY TOBACCO MARKETING CTR FUNDS		APPROPRIATIONS	APPROP
H 1618	MENTAL HEALTH TREATMENT COURT PILOT		APPROPRIATIONS	APPROP
H 1619	ELIZABETHTOWN CHARTER AMENDMENTS		LOC. GOV. I	BLADEN
H 1620	NC DARE FUNDS		APPROPRIATIONS	LOCAL APPROP
H 1621	HAVELOCK SENIOR CENTER FUNDS		APPROPRIATIONS	LOCAL APPROP
H 1622	AMEND BARBERING LAWS/INCREASE FEES		FINANCE	86A
H 1623	FUNDS FOR COMMUNITY HEALTH CENTERS		APPROPRIATIONS	APPROP
H 1624	INCREASE RETIREES' CONTRIBUTORY DEATH BENEFIT		PENSIONS	120, 128, 135
H 1625	SECURITY TECHNOLOGY & TRAINING CENTER FUNDS		APPROPRIATIONS	APPROP
H 1626	REDUCE WORKERS' COMP. PREMIUMS		FINANCE	105
H 1627	NON-ENGLISH WORKER SAFETY PILOT/FUNDS		APPROPRIATIONS	APPROP
H 1628	ESTABLISH DOL ADVISORY COUNCIL/FUNDS		OCCUPATIONAL SAFETY	95, APPROP
H 1629	STATE EMPLOYEES/TEACHERS PAY		APPROPRIATIONS	APPROP
H 1630	INCENTIVES FOR BORDER/LOW-TIER COUNTIES		FINANCE	105
H 1631	CREATE NEW JOBS/RECRUIT NEW BUSINESS		FINANCE	105, 143B, 159C
H 1632	MULTICAMPUS COMM. COLL. FUNDING FORMULA		APPROPRIATIONS	APPROP
H 1633	LOW-WEALTH SCHOOL SUPPLEMENTAL FUNDING	S 1074	APPROPRIATIONS	APPROP

H 1634	RESTORE VOC. EDUC. FUNDING FOR THE 7TH GRADE		APPROPRIATIONS	APPROP
H 1635	DOROTHEA DIX PROPERTY/DEVLMPT. OF MASTER PLAN	S 1248	RULES	STUDY, APPROP
H 1636	RENEWABLE ENERGY TAX CREDITS		FINANCE	105
H 1637	BEACH BINGO LICENSING		FINANCE	14, APPROP
H 1638	REPEAL SALES TAX		FINANCE	105
H 1639	HISTORY EDUCATION CTR/TRYON PALACE FUNDS		APPROPRIATIONS	APPROP

SUMMARIES OF BILLS INTRODUCED TODAY

SENATE BILLS

S 1228. BLANK APPROPRIATIONS BILL-1. *TO APPROPRIATE FUNDS.* Blank bill.
Intro. by Kerr.
Ref. to Rules APPROP

S 1229. NATIONAL GUARD FAMILY ASSISTANCE FUNDS. *TO APPROPRIATE FUNDS FOR FAMILIES OF DEPLOYED NATIONAL GUARD MEMBERS.* Appropriates $500,000 for 2004-2005 from General Fund to Dep't of Crime Control & Public Safety as title indicates. Effective July 1, 2004.
Intro. by Kerr.
Ref. to Appropriations APPROP

S 1230. MODIFY FINANCE LAWS FOR 2004–2005. *TO AMEND THE FINANCE LAWS AFFECTING THE BUDGET FOR 2004–2005.* Blank bill.
Intro. by Kerr.
Ref. to Rules GS 105

S 1231. MODIFY FINANCE LAWS FOR 2004–2005-2. *TO AMEND THE FINANCE LAWS AFFECTING THE BUDGET FOR 2004–2005.* Blank bill.
Intro. by Kerr.
Ref. to Rules GS 105

S 1232. AUTHORIZING CONSIDERATION OF BILL ON GRANTING EXCLUSIVE FEDERAL JURISDICTION (=H 1570). *AUTHORIZING THE 2003 GENERAL ASSEMBLY, REGULAR SESSION 2004, TO CONSIDER A BILL TO BE ENTITLED AN ACT TO REQUIRE APPROVAL OF THE COUNCIL OF STATE BEFORE EXCLUSIVE FEDERAL JURISDICTION IS GRANTED.* Identical to H 1570, introduced 5/20/04.
Intro. by Jenkins.
Ref. to Rules JOINT RES

S 1233. PINEBLUFF UNOPENED TROLLEY EASEMENTS. *TO AUTHORIZE THE TOWN OF PINEBLUFF TO CONVEY TO ADJACENT PROPERTY OWNERS TROLLEY EASEMENTS AT PRIVATE NEGOTIATED SALE.* As title indicates.
Intro. by Blake.
Ref. to St. Gov. MOORE

S 1234. WAKE COUNTY FAMILY COURT FUNDS (=H 1434). *TO APPROPRIATE FUNDS TO ESTABLISH A FAMILY COURT PILOT PROGRAM IN DISTRICT COURT DISTRICT 10.* Identical to H 1434, introduced 5/13/04.
Intro. by Stevens.
Ref. to Appropriations APPROP

S 1235. DRUG TREATMENT COURT FUNDS. *TO APPROPRIATE FUNDS TO CONTINUE THE FUNDING OF THE FAMILY DRUG TREATMENT COURT IN DISTRICT COURT DISTRICT 14.* Appropriates $150,000 for 2004-2005 from General Fund to Judicial Dep't as title indicates. Effective July 1, 2004.
Intro. by Hunt.
Ref. to Appropriations APPROP

S 1236. SE REGIONAL HORSE ARENA FUNDS. *TO APPROPRIATE FUNDS FOR THE ESTABLISHMENT OF THE SOUTHEASTERN NORTH CAROLINA AGRICULTURAL CENTER AND HORSE ARENA IN ROBESON COUNTY.* Appropriates $1,500,000 for 2004-2005 from General Fund to Dep't of Agriculture & Consumer Services as title indicates. Effective July 1, 2004.
Intro. by Weinstein.
Ref. to Appropriations APPROP

S 1237. 12TH SENATORIAL DISTRICT LOCAL ACT-1. *RELATING TO THE 12TH SENATORIAL DISTRICT .*
Blank bill.
Intro. by Smith.
Ref. to Rules JOHNSTON, WAYNE

S 1238. GARNER/UNSAFE RESIDENTIAL BUILDINGS. *TO ALLOW THE TOWN OF GARNER TO DECLARE RESIDENTIAL BUILDINGS IN COMMUNITY DEVELOPMENT TARGET AREAS UNSAFE AND TO DEMOLISH THOSE BUILDINGS USING THE SAME PROCESS AUTHORIZED FOR THE DEMOLITION OF UNSAFE NONRESIDENTIAL BUILDINGS.* As title indicates.
Intro. by Stevens.
Ref. to St. Gov. WAKE

S 1239. GATEWAY TECHNOLOGY CENTER FUNDS. *TO APPROPRIATE FUNDS TO EXTEND ADVANCED EDUCATIONAL OPPORTUNITIES TO EASTERN NORTH CAROLINA THROUGH THE GATEWAY TECHNOLOGY CENTER.* Appropriates $300,000 for 2004-2005 from General Fund to UNC Board of Governors to be allocated $150,000 to East Carolina University and $150,000 to N.C. State University or other institutions of UNC as needed by local industry. Effective July 1, 2004.
Intro. by Swindell.
Ref. to Appropriations APPROP

S 1240. STATE EMPLOYEES/TEACHERS PAY INCREASES (=H 1384). *APPROPRIATING FUNDS TO PROVIDE TO PUBLIC SCHOOL PERSONNEL AND TO STATE EMPLOYEES A LEGISLATIVE PAY INCREASE OF FIVE PERCENT AND ESTABLISHING A MINIMUM LIVING WAGE FOR STATE-FUNDED EMPLOYEES.* Identical to H 1384, introduced 5/12/04.
Intro. by Reeves.
Ref. to Appropriations APPROP

S 1241. 12TH SENATORIAL DISTRICT LOCAL ACT-2. *RELATING TO THE 12TH SENATORIAL DISTRICT.*
Blank bill.
Intro. by Smith.
Ref. to Rules JOHNSTON, WAYNE

S 1242. WITHHOLDING EXEMPTION DOCUMENTATION. *TO REQUIRE DOCUMENTATION WHEN AN EMPLOYEE CLAIMS MORE THAT FOUR WITHHOLDING EXEMPTIONS AND TO MODIFY THE PENALTY FOR CLAIMING EXCESSIVE WITHHOLDING EXEMPTIONS.* Amends GS 105-163.5 as title indicates, increasing penalty to 75% or $250, whichever is greater (was, 50%), of amount not properly withheld. Further requires that if written documentation of the basis for each exemption is not provided, employer shall report employee's withholding exemption certificate to the Sec'y of Revenue, who shall only allow the employee the exemption provided for a single person with no dependents. Makes technical changes. Effective Jan. 1, 2005.
Intro. by Foxx.
Ref. to Finance GS 105

S 1243. FUNDS FOR WINSTON-SALEM DELTA FINE ARTS (=H 1562). *TO APPROPRIATE FUNDS TO WINSTON-SALEM DELTA FINE ARTS, INC.* Identical to H 1562, introduced 5/20/04.
Intro. by Garrou.
Ref. to Appropriations LOCAL APPROP

S 1244. AMEND NC CEMETERY ACT/INCREASE FEES. *AUTHORIZING THE NC CEMETERY COMM'N TO INCREASE CERTAIN FEES AND MAKING CLARIFYING CHANGES UNDER THE NC CEMETERY ACT.* Amends various provisions to increase fees and deposits or authorize the Comm'n to set fees at higher levels.
Intro. by Hoyle.
Ref. to Finance GS 65

S 1245. FUNDS FOR HOSIERY TECHNOLOGY CENTER. *TO APPROPRIATE FUNDS FOR THE HOSIERY TECHNOLOGY CENTER.* Appropriates $475,000 for 2004-2005 from General Fund to Dep't of Community Colleges as title indicates. Effective July 1, 2004.
Intro. by Hoyle.
Ref. to Appropriations APPROP

S 1246. BLANK APPROPRIATIONS BILL-2. *TO APPROPRIATE FUNDS FOR THE CURRENT FISCAL YEAR.* Blank bill.
Intro. by Horton.
Ref. to Rules APPROP

S 1247. FUNDS FOR WAKEMED EMERGENCY SVCES INSTITUTE. *TO APPROPRIATE FUNDS TO WAKEMED HEALTH & HOSPITALS, A NONPROFIT CORPORATION, TO ASSIST IN THE FORMATION OF THE EMERGENCY SERVICES INSTITUTE, A HOSPITAL-BASED, MEDICAL EMERGENCY PREPAREDNESS AND RESPONSE INSTITUTE.* Appropriates $2 million for 2004-2005 from General Fund to WakeMed Health & Hospitals, Inc. as title indicates. Effective July 1, 2004.
Intro. by Reeves.
Ref. to Appropriations LOCAL APPROP

S 1248. DOROTHEA DIX PROPERTY/DEVLMPT. OF MASTER PLAN. *TO AUTHORIZE THE CITY OF RALEIGH AND THE STATE PROPERTY OFFICE TO DEVELOP A MASTER PLAN FOR THE DOROTHEA DIX PROPERTY, TO AUTHORIZE THE DOROTHEA DIX PROPERTY STUDY COMM'N TO REVIEW AND MAKE RECOMMENDATIONS REGARDING THE PROPOSED MASTER PLAN AND TO APPROPRIATE FUNDS FOR THAT PURPOSE.* Requires a committee to oversee the development of the master plan and provides for committee membership. Appropriates $100,000 for 2004-2005 from General Fund to City of Raleigh as title indicates. Effective July 1, 2004, except that provision on reporting by the Dorothea Dix Property Study Comm'n is effective when the act becomes law.
Intro. by Reeves.
Ref. to Appropriations STUDY, APPROP

S 1249. RETIREMENT/TEACHER EXCHANGE PROGRAMS (=H 1478). *TO MAKE A TECHNICAL CORRECTION TO THE LAW CLARIFYING THE STATUS OF TEACHERS PARTICIPATING IN FOREIGN EXCHANGE PROGRAMS FOR PURPOSES OF RETIREMENT AND TENURE.* Identical to H 1478, introduced 5/17/04.
Intro. by Kinnaird.
Ref. to Pensions GS 115C, 135

S 1250. GREENSBORO ORDINANCE PUBLICATION (=H 1608). *TO AMEND THE GREENSBORO CITY CHARTER SO THE CITY CAN FOLLOW THE GENERAL LAW ON NOTICE OF ADOPTION OF ORDINANCES.* Identical to H 1608, introduced 5/20/04.
Intro. by Dorsett, Hagan.
Ref. to St. Gov. GUILFORD

S 1251. CITY OF GREENSBORO LOCAL ACT. *RELATING TO THE CITY OF GREENSBORO.* Blank bill.
Intro. by Dorsett, Hagan.
Ref. to Rules GUILFORD

S 1252. GREENSBORO CLAIM SETTLEMENTS (=H 1604). *TO AMEND THE GREENSBORO CITY CHARTER TO INCREASE THE AUTHORITY OF THE CITY MANAGER TO SETTLE CLAIMS AGAINST THE CITY FROM FIFTY THOUSAND DOLLARS TO THREE HUNDRED THOUSAND DOLLARS.* Identical to H 1604, introduced 5/20/04.
Intro. by Dorsett, Hagan.
Ref. to St. Gov. GUILFORD

S 1253. CORRECT STREAMLINED SALES TAX INEQUITY (=H 1609). *TO ADOPT A PROVISION ALLOWED UNDER THE STREAMLINED SALES TAX AGREEMENT THAT TREATS ALL PRINTERS EQUALLY.* Identical to H 1609, introduced 5/20/04.
Intro. by Allran.
Ref. to Finance GS 105

S 1254. RESPIRATORY CARE BD/BACKGROUND CHECKS/FEES. *TO AUTHORIZE THE DEPARTMENT OF JUSTICE TO PROVIDE CRIMINAL RECORD CHECKS TO THE RESPIRATORY CARE BOARD FOR APPLICANTS FOR LICENSURE AND TO CHARGE A FEE FOR CONDUCTING THE CHECKS.* Amends GS 90-652(1) as title indicates. Further provides that Board shall submit the applicant's fingerprints and a signed consent form along with the request for a criminal record check.
Intro. by Purcell.
Ref. to Finance GS 90

S 1255. CHILD WELFARE APPROPRIATION MATTERS (=H 1441). *TO APPROPRIATE FUNDS FOR THE PURPOSE OF CHILD PROTECTIVE SERVICES AND CHILD ABUSE PREVENTION.* Identical to H 1441, introduced 5/13/04.
Intro. by Purcell.
Ref. to Appropriations APPROP

S 1256. URGING CONGRESS TO CONSIDER LAW REGARDING OBTAINING FEDERAL CRIMINAL HISTORIES (=H 1439). *TO URGE CONGRESS TO CONSIDER AMENDING FEDERAL LAW TO PERMIT CHILD PROTECTIVE SERVICES WORKERS TO OBTAIN FEDERAL CRIMINAL HISTORIES WHEN INVESTIGATING ALLEGATIONS OF CHILD ABUSE AND NEGLECT.* Identical to H 1439, introduced 5/13/04.
Intro. by Purcell.
Held as Filed SEN RES

S 1257. CHILD WELFARE COLLABORATIVE FUNDS (=H 1524). *TO APPROPRIATE FUNDS FOR THE CHILD WELFARE COLLABORATIVE.* Identical to H 1524, introduced 5/19/04.
Intro. by Purcell.
Ref. to Appropriations APPROP

S 1258. STANLY MAGISTRATE FUNDS. *TO APPROPRIATE FUNDS TO ESTABLISH A NEW MAGISTRATE POSITION FOR STANLY COUNTY.* Appropriates $42,021 for 2004-2005 from General Fund to Judicial Dep't as title indicates. Effective July 1, 2004.
Intro. by Purcell.
Ref. to Appropriations APPROP

S 1259. CHILD CARE SUBSIDY FUNDS (=H 1525). *TO APPROPRIATE FUNDS FOR CHILD CARE SUBSIDIES.* Identical to H 1525, introduced 5/19/04.
Intro. by Purcell.
Ref. to Appropriations APPROP

S 1260. ROWAN COUNTY LOCAL ACT. *RELATING TO THE COUNTY OF ROWAN.* Blank bill.
Intro. by Hartsell.
Ref. to Rules ROWAN

S 1261. CABARRUS COUNTY LOCAL ACT-2. *RELATING TO THE COUNTY OF CABARRUS.* Blank bill.
Intro. by Hartsell.
Ref. to Rules CABARRUS

S 1262. 36TH SENATORIAL DISTRICT LOCAL ACT-2. *RELATING TO THE 36TH SENATORIAL DISTRICT.* Blank bill.
Intro. by Hartsell.
Ref. to Rules CABARRUS, ROWAN

S 1263. NOTICE OF ADD'L BUILDING CODE REQUIREMENTS. *TO REQUIRE THE BUILDING CODE COUNCIL TO TAKE NECESSARY STEPS TO AMEND THE STATE BUILDING CODE TO CROSS-REFERENCE ALL ADDITIONAL REQUIREMENTS IMPOSED BY OCCUPATIONAL LICENSING BOARDS, COMM'NS, OR OTHER AGENCIES OF THE STATE AND TO APPROPRIATE FUNDS.* As title indicates. Appropriates $10,000 for 2004-2005 from General Fund to Dep't of Insurance, Building Code Council, to conduct the necessary review of agency and board facility design, construction, and building requirements and to adopt the amendments or develop the rules or legislative proposals required to implement the act. Effective July 1, 2004.
Intro. by Clodfelter.
Ref. to Commerce APPROP

S 1264. CHARLOTTE REGIONAL VISITORS AUTHORITY (=H 1564). *TO AMEND THE CHARTER OF THE CITY OF CHARLOTTE CONCERNING THE CHARLOTTE REGIONAL VISITORS AUTHORITY.* Identical to H 1564, introduced 5/20/04.
Intro. by Clodfelter, Dannelly, Pittenger, Rucho.
Ref. to St. Gov. MECKLENBURG

S 1265. ORANGE CAMPUS PRECINCTS. *TO REQUIRE THAT ALL CAMPUS RESIDENCES IN ORANGE COUNTY FOR EACH UNIVERSITY OF NORTH CAROLINA SYSTEM CAMPUS BE IN ONE PRECINCT.* Directs Orange County board of elections to reconfigure its precinct boundary lines to place all residence facilities for UNC in one precinct.
Intro. by Kinnaird.
Ref. to St. Gov. ORANGE

S 1266. FUNDS FOR OUR CHILDREN'S PLACE. *TO APPROPRIATE FUNDS TO OUR CHILDREN'S PLACE, A NONPROFIT ORGANIZATION THAT PROVIDES SERVICES FOR CERTAIN INCARCERATED MOTHERS AND THEIR AT-RISK CHILDREN.* Appropriates $300,000 for 2004-2005 from General Fund to Dep't of Correction as title indicates. Effective July 1, 2004.
Intro. by Kinnaird.
Ref. to Appropriations APPROP

S 1267. INCREASE CIGARETTE EXCISE TAX TO 75 CENTS (=H 1577). *TO INCREASE THE EXCISE TAX O . CIGARETTES AS RECOMMENDED BY THE LEGISLATIVE STUDY COMMISSION ON CHILDREN AND YOUTH AND TO MAKE OTHER TECHNICAL CORRECTIONS.* Identical to H 1577, introduced 5/20/04.
Intro. by Kinnaird.
Ref. to Finance GS 105

S 1268. LRC STUDY/NATUROPATHIC PRACT'R. LIC./FUNDS. *AUTHORIZING THE LEGISLATIVE RESEARCH COMM'N TO STUDY LICENSING PRACTITIONERS OF NATUROPATHY IN NC.* As title indicates. Provides that the Legislative Services Comm'n shall allocate funds from funds appropriated to the General Assembly to conduct the study.
Intro. by Kinnaird.
Ref. to Rules STUDY

S 1269. ABC LICENSEES TO RECYCLE BEVERAGE CONTAINERS (=H 1575). *TO REQUIRE HOLDERS OF CERTAIN ABC PERMITS TO RECYCLE ALL RECYCLABLE BEVERAGE CONTAINERS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.* Identical to H 1575, introduced 5/20/04.
Intro. by Kinnaird.
Ref. to Agriculture GS 18B

S 1270. LOWER HAW RIVER STATE NATURAL AREA (=H 1574). *TO AUTHORIZE THE ADDITION OF THE LOWER HAW RIVER STATE NATURAL AREA TO THE STATE PARKS SYSTEM, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.* Identical to H 1574, introduced 5/20/04.
Intro. by Kinnaird.
Ref. to Agriculture GS 113

S 1271. 5-YR PHASE OUT COUNTY MEDICAID SHARE. *TO PHASE OUT THE COUNTY SHARE OF THE NONFEDERAL SHARE OF MEDICAID COSTS OVER A FIVE-YEAR PERIOD AND TO PROVIDE IMMEDIATE RELIEF FOR TIER ONE COUNTIES.* Effective July 1, 2004, reduces nonfederal share of Medical Assistance Program costs paid by counties by the following percentages: (1) Tier One Counties: effective July 1, 2004 – by 6%; effective July 1, 2005 – by additional 3%; beginning on July 1, 2008 – by additional 3% per year until share is 0%; (2) All other counties: effective July 1, 2005 – by 3% per year until July 1, 2009, when county share shall be 0%. Provides that effective July 1, 2009, total nonfederal share of the Medical Assistance Program shall be borne by the state. Makes conforming changes to GS 108A-54 effective July 1, 2004.
Intro. by Holloman.
Ref. to Appropriations GS 108A

S 1272. FUNDS FOR NORTHAMPTON DRUG INVESTIGATIONS. *TO APPROPRIATE FUNDS TO THE DEP'T OF CRIME CONTROL AND PUBLIC SAFETY FOR THE DRUG INVESTIGATION UNIT OF NORTHAMPTON COUNTY.* Appropriates $50,000 for 2004-2005 from General Fund to Dep't of Crime Control & Public Safety as title indicates. Effective July 1, 2004.
Intro. by Holloman.
Ref. to Appropriations APPROP

S 1273. ROCKINGHAM COUNTY LOCAL ACT-1. *RELATING TO THE COUNTY OF ROCKINGHAM.* Blank bill.
Intro. by Berger.
Ref. to Rules ROCKINGHAM

S 1274. ROCKINGHAM COUNTY LOCAL ACT-2. *RELATING TO THE COUNTY OF ROCKINGHAM.* Blank bill.
Intro. by Berger.
Ref. to Rules ROCKINGHAM

S 1275. GUILFORD COUNTY LOCAL ACT-1. *RELATING TO THE COUNTY OF GUILFORD.* Blank bill.
Intro. by Berger.
Ref. to Rules GUILFORD

S 1276. GUILFORD COUNTY LOCAL ACT-2. *RELATING TO THE COUNTY OF GUILFORD.* Blank bill.
Intro. by Berger.
Ref. to Rules GUILFORD

S 1277. MADISON TOWN ELECTION. *PROVIDING FOR STAGGERED TERMS FOR THE TOWN BOARD OF THE TOWN OF MADISON.* Amends Madison Charter as title indicates.
Intro. by Berger.
Ref. to St. Gov. ROCKINGHAM

S 1278. CAP GAS TAX VARIABLE RATE. *TO CAP THE VARIABLE WHOLESALE COMPONENT OF THE MOTOR FUELS TAX RATE AT ITS CURRENT RATE.* As title indicates.
Intro. by Berger.
Ref. to Finance GS 105

S 1279. M&M FIRE DISTRICT CONTRACTS. *TO ALLOW THE ROCKINGHAM COUNTY BOARD OF COMMISSIONERS TO CONTRACT WITH BOTH THE TOWN OF MAYODAN FIRE DEPARTMENT AND THE TOWN OF MADISON FIRE DEPARTMENT TO PROVIDE FIRE PROTECTION SERVICES IN THE M&M FIRE DISTRICT.* As title indicates.
Intro. by Berger.
Ref. to St Gov. ROCKINGHAM

S 1280. BLADEN COUNTY LOCAL ACT. *CHANGES THE LAWS APPLICABLE TO BLADEN COUNTY.* Blank bill.
Intro. by Rand.
Ref. to Rules BLADEN

S 1281. CUMBERLAND COUNTY LOCAL ACT. *CHANGES THE LAWS APPLICABLE TO CUMBERLAND COUNTY.* Blank bill.
Intro. by Rand.
Ref. to Rules CUMBERLAND

S 1282. 19TH SENATORIAL DISTRICT LOCAL ACT-2. *CHANGES THE LAWS APPLICABLE TO MUNICIPALITIES OF THE 19TH SENATORIAL DISTRICT.* Blank bill.
Intro. by Rand.
Ref. to Rules BLADEN, CUMBERLAND

S 1283. APPOINTMENTS BILL. *TO APPOINT PERSONS TO VARIOUS PUBLIC OFFICES.* Blank bill.
Intro. by Rand.
Ref. to Rules UNCODIFIED

S 1284. BLANK APPROPRIATIONS BILL-2. *TO APPROPRIATE FUNDS FOR THE 2004–2005 FISCAL YEAR.* Blank bill.
Intro. by Rand.
Ref. to Rules APPROP

S 1285. BLANK APPROPRIATIONS BILL-3. *TO APPROPRIATE FUNDS FOR THE 2004–2005 FISCAL YEAR.* Blank bill.
Intro. by Rand.
Ref. to Rules APPROP

S 1286. ELIZABETHTOWN CHARTER AMENDMENTS (=H 1619). *TO AMEND THE CHARTER OF THE TOWN OF ELIZABETHTOWN.* Identical to H 1619, introduced 5/24/04.
Intro. by Rand.
Ref. to St. Gov. BLADEN

S 1287. 19TH SENATORIAL DISTRICT LOCAL ACT. *CHANGES THE LAWS APPLICABLE TO MUNICIPALITIES OF THE 19TH SENATORIAL DISTRICT.* Blank bill.
Intro. by Rand.
Ref. to Rules BLADEN, CUMBERLAND

S 1288. MOORESVILLE STREETS AND SIDEWALKS. *REPEALING ARTICLE VIII OF THE CHARTER OF THE TOWN OF MOORESVILLE, SO THAT THE GENERAL LAW ON STREET AND SIDEWALK IMPROVEMENTS WILL APPLY.* As title indicates.
Intro. by Sloan.
Ref. to St. Gov. IREDELL

S 1289. REDUCE TAXES/CUT GOVERNMENT SPENDING. *TO REDUCE THE CORPORATE AND PERSONAL INCOME TAX, CUT GOVERNMENT SPENDING, AND REDUCE MEDICAID FRAUD.* Effective July 1, 2005, reduces the corporate income tax rate to 6.9% through 2004 and 4.9% thereafter. Increases the percentage of state revenue allocated to the Public School Building Capital Fund to 10.2% after September 2005. Reduces the personal income tax rate for high income taxpayers to 7.5%. Requires the State Budget Director to reduce state funds to nongovernmental organizations and to eliminate vacant positions to achieve $182,700,000 in savings to offset the loss of revenue from corporate tax relief. Establishes prioritization scheme for cuts to nongovernmental organizations, requiring a ranking in order of importance to the immediate health and safety of NC citizens. Directs the elimination of all state government positions vacant as of July 1, 2004. Exempts police, fire and recipients of first responder grants from the U.S. Dep't of Homeland Security from cuts. Directs Dep't of Health and Human Services to reduce Medicaid fraud at least 5% from the previous year.
Intro. by Pittenger.
Ref. to Finance GS 105,115C, APPROP

S 1290. FUNDS FOR MENTAL HEALTH SERVICES. *TO APPROPRIATE FUNDS TO THE TRUST FUND FOR MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES AND BRIDGE FUNDING NEEDS TO ONETIME EXPENDITURES BY AREA AND COUNTY PROGRAMS TO BUILD COMMUNITY CAPACITY.* Appropriates $30 million for 2004-2005 from General Fund to Trust Fund for Mental Health, Developmental Disabilities, and Substance Abuse Services and Bridge Funding Needs as title indicates, funds to maintain client services during mental health reform process and to increase access to prevention and treatment services in the community. Effective July 1, 2004.
Intro. by Nesbitt.
Ref. to Appropriations APPROP

S 1291. FUNDS TO EQUALIZE STATE FUNDING/MH PROGRAMS. *TO APPROPRIATE FUNDS TO THE DEP'T OF HEALTH AND HUMAN SERVICES FOR EQUALIZING STATE FUNDING AMONG AREA AND COUNTY PROGRAMS.* Appropriates $10,000,000 for 2004-2005 from General Fund to DHHS, Div'n of Mental Health, Dev. Disabilities, & Sub . Abuse Services, to be allocated for the purpose of equalizing state funding among the area and county mental health, developmental disabilities, and substance abuse services programs. Effective July 1, 2004.
Intro. by Nesbitt.
Ref. to Appropriations APPROP

S 1292. NC A&T MATCHING FUNDS (=H 1611). *TO APPROPRIATE FUNDS TO THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA FOR NORTH CAROLINA AGRICULTURAL AND TECHNICAL STATE UNIVERSITY TO USE AS MATCHING FUNDS.* Identical to H 1611, introduced 5/20/04.
Intro. by Dorsett, Hagan.
Ref. to Appropriations APPROP

S 1293. LELAND SATELLITE ANNEXATION. *CONCERNING VOLUNTARY SATELLITE ANNEXATIONS BY THE TOWN OF LELAND.* Amends sec. 1 of SL 2002-121 to add the Town of Leland to the municipalities exempted from GS 160A-58.1(b)(5).
Intro. by Soles.
Ref. to Finance BRUNSWICK

S 1294. COLUMBUS COUNTY VISITOR CENTER FUNDS. *TO PROVIDE FOR FUNDING OF THE COLUMBUS COUNTY VISITOR CENTER FROM THE SPECIAL REGISTRATION PLATE ACCOUNT.* Amends GS 20-79.7(c)(2) as title indicates, increasing appropriation to Account by $75,000 to fund new visitor center.
Intro. by Soles.
Ref. to Appropriations GS 20, APPROP

S 1295. HAVELOCK SENIOR CENTER FUNDS. *TO APPROPRIATE FUNDS TO THE TOWN OF HAVELOCK TO ASSIST IN THE CONSTRUCTION OF A SENIOR CITIZENS CENTER.* Appropriates $75,000 for 2004-2005 from General Fund to Town of Havelock as title indicates. Effective July 1, 2004.
Intro. by Thomas.
Ref. to Appropriations LOCAL APPROP

S 1296. TRYON PALACE FUND. *TO APPROPRIATE FUNDS FOR THE DEVELOPMENT OF THE NC HISTORY EDUCATION CENTER AT TRYON PALACE.* Appropriates $1,800,000 for 2004-2005 from General Fund to Dep't of Cultural Resources as title indicates. Funds may be used for site remediation and preparation and architectural needs. Effective July 1, 2004.
Intro. by Thomas.
Ref. to Appropriations APPROP

S 1297. 2ND SENATORIAL DISTRICT LOCAL ACT-1. *RELATING TO THE 2ND SENATORIAL DISTRICT.* Blank bill.
Intro. by Thomas.
Ref. to Rules CARTERET, CRAVEN, PAMLICO

S 1298. 2ND SENATORIAL DISTRICT LOCAL ACT-2. *RELATING TO THE 2ND SENATORIAL DISTRICT.* Blank bill.
Intro. by Thomas.
Ref. to Rules CARTERET, CRAVEN, PAMLICO

S 1299. BLANK APPROPRIATIONS BILL-2. *TO APPROPRIATE FUNDS.* Blank bill.
Intro. by Kerr.
Ref. to Rules APPROP

S 1300. COMM. COLLEGE FACULTY/PROF. STAFF SALARIES (=H 1404). *TO IMPLEMENT A PLAN FOR MOVING FACULTY AND PROFESSIONAL STAFF SALARIES IN THE NORTH CAROLINA COMMUNITY COLLEGE SYSTEM TO THE NATIONAL AVERAGE.* Identical to H 1404, introduced 5/11/04.
Intro. by Albertson.
Ref. to Appropriations APPROP

S 1301. PHOSPHOROUS NUTRIENT MGT/ANIMAL FEEDLOTS. *TO IMPLEMENT REQUIREMENTS APPLICABLE TO NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES) PERMITS AND ANIMAL WASTE MANAGEMENT PLANS GOVERNING ANIMAL FEEDING OPERATIONS TO MAKE THE STATE PERMIT REQUIREMENTS CONSISTENT WITH FEDERAL REQUIREMENTS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.* Alters definition of "animal operation" in GS 143-215.10B to cover "feedlots" instead of "farming." Adds definition of "dry litter poultry facility" and adds such facilities to list of those requiring permits and annual permit fees. Alters design storm for animal waste management systems to 100-year storm (was 25-year storm) if required by federal discharge permit regulations. Allows use of phosphorous instead of nitrogen as the rate-determining nutrient for nutrient management plans, if a facility is subject to federal discharge permit regulations. Limits required state animal waste management plans for dry litter facilities to those facilities not subject to federal discharge permit requirements. Directs Dep't of Environment and Natural Resources to evaluate phosphorous provisions in current nutrient management standards and to report to the Environmental Review Comm'n on or before April 1, 2008. Effective Jan. 1, 2005.
Intro. by Albertson.
Ref. to Agriculture GS 143, STUDY

S 1302. ENVIRONMENTAL TECHNICAL CORRECTIONS (=H 1616). *TO MAKE CLARIFYING, CONFORMING, AND TECHNICAL AMENDMENTS TO VARIOUS LAWS RELATED TO THE ENVIRONMENT, PUBLIC HEALTH, AND NATURAL RESOURCES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.* Identical to H 1616, introduced 5/20/04.
Intro. by Albertson.
Ref. to Agriculture GS 113

S 1303. ENVIRONMENTAL REPORTS AMENDMENTS (=H 1615). *TO AMEND VARIOUS ENVIRONMENTAL REPORTING REQUIREMENTS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.* Identical to H 1615, introduced 5/20/04.
Intro. by Albertson.
Ref. to Agriculture GS 113A, 143

HOUSE BILLS

H 1617. BURLEY TOBACCO MARKETING CTR FUNDS. *TO APPROPRIATE FUNDS FOR THE CONTINUED OPERATION OF NORTH CAROLINA'S BURLEY TOBACCO MARKETING CENTER IN ASHEVILLE.* Appropriates $750,000 for 2004-2005 from General Fund to Dep't of Agriculture & Consumer Services as title indicates. Effective July 1, 2004.
Intro. by Rapp, Goforth, Sherrill.
Ref. to Appropriations APPROP

H 1618. MENTAL HEALTH TREATMENT COURT PILOT. *TO APPROPRIATE FUNDS FOR THREE MENTAL HEALTH TREATMENT COURT PILOT PROGRAMS WITHIN THE EXISTING DRUG TREATMENT COURT PROGRAM TO SERVE REPEAT ADULT OFFENDERS NEEDING MENTAL HEALTH SERVICES.* Creates pilot programs in District Court Districts 15B, 26, and 28 to provide therapeutic treatment services for repeat adult

offenders who are within the target population for mental health, developmental disabilities, and substance abuse services. Appropriates $36,161 for 2004-2005 from General Fund to Judicial Dep't for such services in the Drug Treatment Court. Appropriates $137,940 for 2004-2005 from Trust Fund for Mental Health, Developmental Disabilities, and Substance Abuse Services and Bridge Funding Needs to Dep't of Health and Human Services for such services. Appropriates $20,000 for 2004-2005 from General Fund to Judicial Dep't for an independent evaluation of the effectiveness of the pilot programs. Requires report by March 1, 2005, on the implementation of the pilot programs. Effective July 1, 2004.
Intro. by Insko, Hackney, Alexander, Goforth.
Ref. to Appropriations APPROP

H 1619. ELIZABETHTOWN CHARTER AMENDMENTS. *TO AMEND THE CHARTER OF THE TOWN OF ELIZABETHTOWN.* Amends charter provisions on the following subjects: form of government, town manager, town clerk, finance director, tax collector, town attorney, and other administrative officers and employees.
Intro. by Nye.
Ref. to Loc. Gov. I BLADEN

H 1620. NC DARE FUNDS. *APPROPRIATING FUNDS TO THE NC DARE OFFICERS ASS'N OF ALAMANCE COUNTY, INC., A NONPROFIT CORPORATION PROMOTING DRUG RESISTANCE IN NC SCHOOLS.* Appropriates $25,000 for 2004-2005 from General Fund to NC Dare Officers Ass'n of Alamance County Inc. as title indicates. Effective July 1, 2004.
Intro. by Wainwright.
Ref. to Appropriations LOCAL APPROP

H 1621. HAVELOCK SENIOR CENTER FUNDS. *TO APPROPRIATE FUNDS TO THE TOWN OF HAVELOCK TO ASSIST IN THE CONSTRUCTION OF A SENIOR CITIZENS CENTER.* Appropriates $75,000 for 2004-2005 from General Fund to Town of Havelock as title indicates. Effective July 1, 2004.
Intro. by Wainwright, Gorman.
Ref. to Appropriations LOCAL APPROP

H 1622. AMEND BARBERING LAW/INCREASE FEES. *AMENDING THE LAWS REGULATING THE PRACTICE OF BARBERING, AUTHORIZING THE STATE BOARD OF BARBER EXAMINERS TO ASSESS CIVIL PENALTIES FOR VIOLATIONS OF THE LAWS OR RULES REGULATING THE PRACTICE OF BARBERING, AND INCREASING FEES.* Enacts new GS 86A-27 as title indicates, authorizing civil penalties of up to $1,500 and establishing factors to be considered in assessing penalties. Enacts new GS 86A-5(a)(5), authorizing the Board to employ personnel and fix compensation. Amends GS 86A-17(b), authorizing Board to impose civil penalties when a registered barber's certificate of registration has expired for more than six months. Amends GS 86A-22 requiring Board to establish criteria for schools to maintain their accreditation. Modifies GS 86A-22(2) requiring that for-profit schools employ at least two instructors for the first 40 enrolled students and employ one additional instructor for every 20 enrolled students (was, each school should have at least two instructors). Further prohibits any school from providing practical or theoretical training simultaneously unless at least two instructors are present. Adds provision to GS 86A-24(b), requiring that a registered barber be present at barbershop at all times while an apprentice is working. Doubles fees set forth in GS 86A-25. Amends GS 86A-26 to define "family" as a spouse or lineal descendent. Makes technical corrections.
Intro. by Holliman.
Ref. to Finance GS 86A

H 1623. FUNDS FOR COMMUNITY HEALTH CENTERS. *TO APPROPRIATE FUNDS TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, OFFICE OF RESEARCH, DEMONSTRATIONS, AND RURAL HEALTH DEVELOPMENT, FOR A GRANT PROGRAM TO ASSIST IN THE PROVISION OF PRIMARY AND PREVENTIVE MEDICAL AND DENTAL SERVICES TO UNINSURED OR MEDICALLY INDIGENT PATIENTS.* Appropriates $5 million for 2004-2005 from General Fund to Dep't of Health & Human Services as title indicates. Provides that no more than 1.5% of funds shall be used to reimburse Office for administrative expenses. Effective July 1, 2004.
Intro. by Barnhart.
Ref. to Appropriations APPROP

H 1624. INCREASE RETIREES' CONTRIBUTORY DEATH BENEFIT. *TO INCREASE THE CONTRIBUTORY DEATH BENEFIT FOR RETIRED MEMBERS OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT*

SYSTEM, THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, THE LEGISLATIVE RETIREMENT SYSTEM, AND THE CONSOLIDATED JUDICIAL RETIREMENT SYSTEM. Amends GS 135-5(l) to provide that the existing lump sum death benefit for retired members applies to the deaths that occur on or after Jan. 1, 1999, but before July 1, 2004. Adds a new provision providing that for deaths on or after July 1, 2004, the lump sum amount will be increased from $6,000 to $9,000. Makes parallel changes to GS 128-27, 120-4.27, and 135-64. Effective July 1, 2004, and applies to persons dying on or after that date.
Intro. by Bell, G. Wilson.
Ref. to Pensions GS 120, 128, 135

H 1625. SECURITY TECHNOLOGY & TRAINING CENTER FUNDS. *TO APPROPRIATE FUNDS TO CONSTRUCT AND EQUIP THE CENTER FOR SECURITY TECHNOLOGY AND TRAINING AT THE MACON COUNTY CAMPUS OF SOUTHWESTERN COMMUNITY COLLEGE.* Appropriates $10 million for 2004-2005 from General Fund to Community College System Office as title indicates. Effective July 1, 2004.
Intro. by Haire.
Ref. to Appropriations APPROP

H 1626. REDUCE WORKERS' COMP. PREMIUMS. *TO PROVIDE A TAX CREDIT FOR SAFE WORKPLACES THAT HAS THE EFFECT OF REDUCING WORKERS' COMPENSATION INSURANCE PREMIUMS FOR CERTAIN EMPLOYERS.* Enacts new GS 105-129.16D as title indicates. Establishes a credit equal to 5% of workers' compensation premiums paid for employers with no liabilities under Workers' Compensation Act during past five consecutive years. Amends GS 105-129.15A to repeal 105-129.16D effective for taxable years beginning on or after Jan. 1, 2009. Effective for taxable years beginning on or after Jan. 1, 2005.
Intro. by Goodwin.
Ref. to Finance GS 105

H 1627. NON-ENGLISH WORKER SAFETY PILOT/FUNDS. *AUTHORIZING THE DEP'T OF LABOR TO PROVIDE NON-ENGLISH LANGUAGE SAFETY TRAINING TO CONSTRUCTION WORKERS; ALLOWING THE REDUCTION OR WAIVER OF CERTAIN CIVIL PENALTIES FOR EMPLOYERS PARTICIPATING IN THE TRAINING; AND, APPROPRIATING FUNDS FOR THAT PURPOSE.* Appropriates $100,000 for 2004-2005 from General Fund to Dep't of Labor to establish a pilot program to provide non-English language safety training and materials to workers in the construction industry. Provides that the Dep't shall provide the training at least once per month in specified counties. Participating companies that have at least 75% of their Spanish-speaking employees attend shall receive a certificate that is valid for 3 years. Notwithstanding any other provision of law, if a worker is injured on a certified employer's construction site during the certification period, any applicable civil penalty shall be reduced by at least half or may be waived, unless the injury resulted from reckless or intentional conduct. Effective July 1, 2004, except that provision regarding monthly training expires June 30, 2005, and provision regarding certification remains in effect as to employers certified in the pilot program.
Intro. by Goodwin.
Ref. to Appropriations APPROP

H 1628. ESTABLISH DOL ADVISORY COUNCIL/FUNDS. *ESTABLISHING THE DEPARTMENT OF LABOR ADVISORY COUNCIL AND APPROPRIATING FUNDS FOR THAT PURPOSE.* As title indicates, Council to consist of up to 24 members. Requires that Council issue a comprehensive report to the General Assembly every two years. Appropriates $25,000 for 2004-2005 from General Fund to fund Council. Effective July 1, 2004.
Intro. by Goodwin.
Ref. to Occupational Safety GS 95, APPROP

H 1629. STATE EMPLOYEES/TEACHERS PAY. *APPROPRIATING FUNDS TO PROVIDE TO PUBLIC SCHOOL PERSONNEL AND TO STATE EMPLOYEES, EXCEPT MEMBERS OF THE GENERAL ASSEMBLY AND COUNCIL OF STATE, A PAY INCREASE OF FIVE PERCENT AND ESTABLISHING A MINIMUM LIVING WAGE FOR STATE-FUNDED EMPLOYEES.* Identical to H 1384, introduced 5/12/04, except eliminates salary increase for Governor and Council of State.
Intro. by Goodwin.
Ref. to Appropriations APPROP

H 1630. INCENTIVES FOR BORDER/LOW-TIER COUNTIES. *TO ADDRESS THE COMPETITIVENESS OF CERTAIN NC BORDER COUNTIES AND LOW-TIER COUNTIES BY PROVIDING AN INCENTIVE FOR INVESTMENT IN REAL PROPERTY IN ORDER TO MATCH AN INCENTIVE PROVIDED IN SOUTH*

CAROLINA. Enacts new GS 105-164.14(j) to provide that eligible taxpayers are allowed an annual refund of sales and use taxes paid, except the refund does not apply to general local sales and use taxes levied under any other act. Refund applies to sales and use taxes paid on building materials, building supplies, fixtures, and equipment that become a part of real property in certain enterprise tier areas. Provides a procedure for requesting refunds. Limits use of refunds and provides for forfeiture of refunds and for taxpayer reporting. Effective Jan. 1, 2005, and applies to taxes paid on or after that date.
Intro. by Goodwin.
Ref. to Finance GS 105

H 1631. CREATE NEW JOBS/RECRUIT NEW BUSINESS. *TO CREATE NEW JOBS BY RECRUITING NEW BUSINESSES, GROWING EXISTING BUSINESSES, AND ENCOURAGING ENTREPRENEURS.* Provides a new tax exemption for corporations of $10,000 (for tax year 2004) and $20,000 (for tax year 2005 and beyond) from state income tax. Increases the percentage of state tax revenue allocated to the Public School Building Capital Fund starting Oct. 1, 2004. Creates a special nonreverting fund in the Dep't of Commerce for financial assistance to businesses and appropriates $20 million annually to the fund. Extends to 2009 (was 2005), expands to $20 million (was $10 million) and increases the authority of the Job Investment Grant Program to give money to businesses to 25 agreements each year (was 15). Deletes requirement for businesses that receive Job Investment Grants to submit state and federal tax returns annually, instead allowing returns to be requested by the Economic Investment Committee. Authorizes the Sec'y of Commerce to transfer up to $300,000 per year from the Utility Account of GS 143B-437.61 to support the Job Development Incentive Grant program. Clarifies property qualifying for sales tax refunds and adds aircraft manufacturing, motor vehicle manufacturing, and semiconductor manufacturing to the industries eligible for sales and use tax refunds under GS 105-164.14(j). Effective Oct. 1, 2004, clarifies sales tax exemptions and definitions for interstate air businesses and interstate freight air carriers. Increases to $9 million (was $6 million) the total amount of tax credits allowed under GS 105-163.011. Extends the sunset for tax credits for qualified business investments under Part 5 of GS ch. 105 to 2009 (was 2007). Requires making exclusive choice between research and development tax credits under art. 3A and a new art. 3F of GS ch. 105. New art. 3F allows credits for qualifying N.C. research expenses (effective Jan. 1, 2004) and university research expenses (effective Jan. 1, 2005). Deletes minimum wage requirement of GS 159C-7(b) and GS 159D-7(b) for industrial revenue bonds. Expands permissible uses of the Site Infrastructure Development Fund in GS 143B-437.02(b). Authorizes Dep't of Commerce to contract for preparation of proposals and reports connected with industrial location and expansion.
Intro. by Owens, Miner, G. Allen.
Ref. to Finance GS 105,143B,159C

H 1632. MULTICAMPUS COMM. COLL. FUNDING FORMULA. *TO MODIFY THE FUNDING FORMULA FOR MULTICAMPUS COMMUNITY COLLEGES AND TO APPROPRIATE FUNDS FOR THAT PURPOSE.* Appropriates $6,821,201 in recurring funds for 2004-2005 from General Fund to Community College System Office to implement the multicampus funding formula adopted by the State Board of Community Colleges. Finds that additional data are needed to determine the adequacy of multicampus funds and therefore requires reporting by multicampus colleges on all expenditures used to support their multicampuses. Effective July 1, 2004.
Intro. by Yongue, Sauls, Carney.
Ref. to Appropriations APPROP

H 1633. LOW-WEALTH SCHOOL SUPPLEMENTAL FUNDING (=S 1074). *TO APPROPRIATE SUPPLEMENTAL FUNDING FOR LOW-WEALTH SCHOOL SYSTEMS.* Identical to S 1074, introduced 5/13/04.
Intro. by Yongue, Sutton, Bonner.
Ref. to Appropriations APPROP

H 1634. RESTORE VOC. EDUC. FUNDING FOR 7TH GRADE. *TO RESTORE FUNDING FOR VOCATIONAL EDUCATION FOR SEVENTH GRADE STUDENTS.* Appropriates $8 million for 2004-2005 from General Fund to State Aid for Local Administrative Units for vocational education as title indicates. Amends SL 2003-284, Sec. 7.37, by deleting statement that it is the intent of the General Assembly to eliminate funding for seventh grade vocational education. Makes conforming changes. Effective July 1, 2004.
Intro. by Yongue, Sauls.
Ref. to Appropriations APPROP

H 1635. DOROTHEA DIX PROPERTY/DEVLMPT. OF MASTER PLAN (=S 1248). *TO AUTHORIZE THE CITY OF RALEIGH AND THE STATE PROPERTY OFFICE TO DEVELOP A MASTER PLAN FOR THE DOROTHEA*

DIX PROPERTY, TO AUTHORIZE THE DOROTHEA DIX PROPERTY STUDY COMMISSION TO REVIEW AND MAKE RECOMMENDATIONS REGARDING THE PROPOSED MASTER PLAN, AND TO APPROPRIATE FUNDS FOR THAT PURPOSE. Identical to S 1248, introduced 5/24/04.
Intro. by Miner, Weiss, Ross, Stam.
Ref. to Rules STUDY, APPROP

H 1636. RENEWABLE ENERGY TAX CREDITS. *TO PROVIDE TAX CREDITS FOR PURCHASING, DISPENSING, AND PROCESSING RENEWABLE FUELS.* Adding a new subsection to GS 105-129.15 defining the term renewable fuel. New GS 105-129.16D provides credits for taxpayers that purchase at retail 750 or more gallons of renewable fuel, construct and install and place in service commercial facilities for dispensing renewable fuel, or construct and place in service commercial facilities for processing renewable fuel. Includes a provision barring double credit. Effective for taxable years beginning on or after Jan. 1, 2005.
Intro. by Tolson.
Ref. to Finance GS 105

H 1637. BEACH BINGO LICENSING. *TO REQUIRE THAT BEACH BINGO OPERATORS BE LICENSED IN THE SAME MANNER AS EXEMPT ORGANIZATIONS OPERATING BINGO GAMES AND TO APPROPRIATE FUNDS FOR THE REGULATION OF BEACH BINGO.* Appropriates $50,000 for 2004-2005 from General Fund to Dep't of Crime Control & Public Safety as title indicates. Amends GS 14-309.14 to provide that beach bingo operators shall comply with the licensing requirements of GS 14-309.7(a), (b)(1), and (b)(4) in the same manner as exempt organizations operating bingo games. Effective July 1, 2004, except that amendment to GS 14-309.14 becomes effective October 1, 2004.
Intro. by Gorman.
Ref. to Finance GS 14, APPROP

H 1638. REPEAL SALES TAX. *TO ACCELERATE THE REPEAL OF THE ADDITIONAL ONE-HALF CENT STATE SALES TAX.* Changes date for repeal of additional one-half cent state sales tax to July 1, 2004 (was 2005).
Intro. by Gorman.
Ref. to Finance GS 105

H 1639. HISTORY EDUCATION CTR/TRYON PALACE FUNDS. *TO APPROPRIATE FUNDS FOR THE DEVELOPMENT OF THE NORTH CAROLINA HISTORY EDUCATION CENTER AT TRYON PALACE.* Appropriates $1,800,000 for 2004-2005 from General Fund to Dep't of Cultural Resources as title indicates. Effective July 1, 2004.
Intro. by Gorman, Wainwright, C. Johnson.
Ref. to Appropriations APPROP

CALENDAR ACTION
May 24, 2004

NOTES
1. Amendments and committee substitutes adopted today are summarized in the following section of today's Daily Bulletin.
2. The dates on which previous amendments or committee substitutes were adopted are listed below bill numbers
3. The action "Cal Pursuant Rule 36b" indicates that the bill has been reported by committee and is awaiting calendaring by the Rules Committee.
4. Enacted bills are indicated by #, failed bills by *.

PUBLIC BILLS

H0429 JUST COMP./LOCAL GOV. TAKING.	S	WITHDRAWN FROM COMM
	S	RE-REF COM ON COMMERCE
04-08-03, 04-09-03		
H1227 FINANCE PARKS AND HERITAGE.	H	WITHDRAWN FROM CAL
	H	RE-REF COM ON APPROPRIATIONS
05-20-04		
H1352 EMERGENCY FUNDING FOR ONE NC & NEIT.	H	AMEND FAILED #2

	H	PASSED 3RD READING
05-19-04		
H1356 INCREASE FEES/QUALIFS. FOR DWI ASSESSMENTS.	H	PLACED ON CAL FOR 5/25/2004
H1448 NOTICE PERIOD FOR SALES AND USE TAX REFUNDS.	H	PLACED ON CAL FOR 5/25/2004
H1465 ALLOW FAMILY BUSINESS TO LEASE FARMLAND.	H	PLACED ON CAL FOR 5/25/2004
H1497 ADOPT FLAT FEE FOR DEBT COLLECTION.	H	PLACED ON CAL FOR 5/25/2004
H1616 ENVIRONMENTAL TECHNICAL CORRECTIONS.	H	WITHDRAWN FROM COMM
	H	RE-REF COM ON ENVIRONMENT AND NATURAL RESOURCES
S1098 FINANCE CANCER CENTER & CARDIO INSTITUTE.	H	REC FROM SENATE
	H	REF TO COM ON FINANCE

LOCAL BILLS

H1386 INDIAN TRAIL TOWN ATTORNEY.	H	PASSED 2ND & 3RD READING
05-20-04		
H1401 WILKES VISITOR CENTER.	S	REC FROM HOUSE
	S	REF TO COM ON STATE GOVERNMENT, LOCAL GOVERNMENT, AND VETERANS' AFFAIRS
H1426 GREENVILLE PARKING DECK PROJECTS.	H	PASSED 2ND & 3RD READING
05-20-04		
H1433 WAKE CTY HISTORIC PRESERVATION COMM.	H	PASSED 2ND & 3RD READING
05-20-04		
H1447 CITY OF GREENVILLE-ABANDONED/JUNKED VEHICLES.	HA	AMEND ADOPTED #1
	H	PASSED 2ND READING
05-24-04		

SUMMARIES OF AMENDMENTS AND COMMITTEE SUBSTITUTES

HOUSE BILLS

H 1447. CITY OF GREENVILLE-ABANDONED/JUNKED VEHICLES. Intro. 5/13/04. House amendment makes the following changes to 1st edition. Adds Town of Waynesville to bill's coverage.

NEXT SESSIONS

May 25, 2004

HOUSE convenes at 3:00 p.m.

SENATE convenes at 3:00 p.m.

G41
2004/10

Daily Bulletin

ACTIONS BY THE NORTH CAROLINA GENERAL ASSEMBLY

Institute *of* Government—School of Government
The University of North Carolina at Chapel Hill
Legislative Reporting Service, Box 7294 State Legislative Building, Raleigh, NC 27601
Phone 919.733.2484 Fax 919.715.3464

House Legislative Day 113 Vol. 2004, No. 10 Senate Legislative Day 115

Tuesday, May 25, 2004

BILLS INTRODUCED TODAY

BILL #	SHORT TITLE	IDEN	COMMITTEE	GS INDEX OR COUNTY AFFECTED
S 1304	REDUCE FRANCHISE TAXES FOR LOSS CORPORATIONS	H 1590	FINANCE	105
S 1305	WAKE CTY/SATELLITE ANNEXATIONS		FINANCE	WAKE
S 1306	FUNDS FOR OLD SALEM, INC.		APPROPRIATIONS	LOCAL APPROP
S 1307	ASHEVILLE ABC BOARD MEMBERSHIP INCREASED	H 1543	ST. GOV.	BUNCOMBE
S 1308	ASHEVILLE CIVIL SERVICE BOARD	H 1551	ST. GOV.	BUNCOMBE
S 1309	APEX CONDITIONAL ZONING/ROADS		FINANCE	WAKE
S 1310	EAST MARKET STREET REVITALIZATION FUNDS		APPROPRIATIONS	LOCAL APPROP
S 1311	A&T/UNC-G APPROPRIATIONS		APPROPRIATIONS	APPROP
S 1312	LOCAL GOV'T EMPLOYEES/457 PLAN		ST. GOV.	143B
S 1313	POSTRETIREMENT EARNINGS STUDY		RULES	STUDY, APPROP
S 1314	FUNDS FOR COMMUNITY HEALTH CENTERS	H 1623	APPROPRIATIONS	APPROP
S 1315	CABARRUS BOARD OF EQUALIZATION AND REVIEW		ST. GOV.	CABARRUS
S 1316	MOUNT PLEASANT ANNEXATION		FINANCE	CABARRUS
S 1317	BD. OF LAW EXAMINERS/FEES/ATT. SOLICITATION		JUDICIARY I	84
S 1318	ALLOCATION FORMULA/CHILD CARE SUBSIDY FUNDS		FINANCE	UNCODIFIED
S 1319	NASH COUNTY COURTHOUSE SECURITY FUNDS		APPROPRIATIONS	LOCAL APPROP
S 1320	CITY OF HENDERSON LOCAL ACT		RULES	VANCE
S 1321	NASH COUNTY LOCAL ACT		RULES	NASH
S 1322	CITY OF ROCKY MOUNT LOCAL ACT		RULES	NASH, EDGECOMBE
S 1323	RESTORE VOC. EDUC. FUNDING FOR 7TH GRADE	H 1634	APPROPRIATIONS	APPROP
S 1324	FUNDS FOR INTERPRETER SERVICES	H 1644	APPROPRIATIONS	APPROP
H 1640	DARE AFFORDABLE HOUSING FOR TEACHERS		RULES	DARE
H 1641	PROMOTE TOURISM/FUNDS		APPROPRIATIONS	APPROP
H 1642	STUDY TAX PREFERENCES		RULES	120, APPROP
H 1643	5-YR PHASE OUT COUNTY MEDICAID SHARE	S 1271	APPROPRIATIONS	108A
H 1644	FUNDS FOR INTERPRETER SERVICES		APPROPRIATIONS	APPROP
H 1645	FUNDS FOR MENTAL HEALTH SERVICES	S 1290	APPROPRIATIONS	APPROP
H 1646	FUNDS TO EQUALIZE STATE FUNDING/MH PROGRAMS		APPROPRIATIONS	APPROP
H 1647	ENHANCE RETIREMENT BENEFITS		PENSIONS	135
H 1648	STATE FIRE PROTECTION STUDY/FUNDS		RULES	STUDY
H 1649	WAKE IMPAIRED HUNTING REGULATION		WILDLIFE RESOURCES	WAKE
H 1650	TRANSYLVANIA COMM. COLL. CAMPUS/EQUIP. FUNDS		APPROPRIATIONS	APPROP
H 1651	STUDY STATE PERSONNEL ACT/FUNDS		RULES	STUDY, APPROP
H 1652	UNION COMMISSIONERS/SCHOOL BOARD ELECTION		RULES	UNION
H 1653	NIA, INC., YOUTH PROGRAMS FUNDS		RULES	APPROP

N.C. DOCUMENTS CLEARINGHOUSE
JUN 02 2004
STATE LIBRARY OF NORTH CAROLINA
RALEIGH

This publication is printed on permanent, acid-free paper in compliance with the North Carolina General Statutes
Institute of Government—School of Government
The University of North Carolina at Chapel Hill

© 2004

H 1654	NC DARE FUNDS		RULES	APPROP
H 1655	INCENTIVE FOR HIGHER WAGES		FINANCE	105
H 1656	REDUCE AND ELIMINATE CIGARETTE CREDITS		FINANCE	105
H 1657	NO NONPROFIT REFUNDS FOR ALCOHOL & TOBACCO		FINANCE	105
H 1658	POSTRETIREMENT EARNINGS STUDY	S 1313	RULES	STUDY, APPROP
H 1659	PERQUIMANS HUNTING STAND AMENDMENT		WILDLIFE RESOURCES	PERQUIMANS

SUMMARIES OF BILLS INTRODUCED TODAY

SENATE BILLS

S 1304. REDUCE FRANCHISE TAXES FOR LOSS CORPORATIONS (=H 1590). *TO REMOVE THE MINIMUM FRANCHISE TAX BASE FOR CORPORATIONS EXPERIENCING A NET ECONOMIC LOSS.* Identical to H 1590, introduced 5/20/04.
Intro. by Hoyle.
Ref. to Finance GS 105

S 1305. WAKE CTY/SATELLITE ANNEXATIONS. *CONCERNING VOLUNTARY SATELLITE ANNEXATION BY VARIOUS TOWNS IN WAKE COUNTY.* Amends GS 160A-58.1(b)(5) to provide that prohibition against certain voluntary annexations of noncontiguous territory does not apply to Apex, Fuquay-Varina, Garner, Holly Springs, Knightdale, Morrisville, Rolesville, Wendell and Zebulon.
Intro. by Stevens.
Ref. to Finance WAKE

S 1306. FUNDS FOR OLD SALEM, INC. *TO APPROPRIATE FUNDS TO COMPLETE RENOVATIONS AT OLD SALEM.* Appropriates $1,000,000 for 2004-2005 from General Fund to Old Salem, Inc. as title indicates. Effective July 1, 2004
Intro. by Garrou.
Ref. to Appropriations APPROP

S 1307. ASHEVILLE ABC BOARD MEMBERSHIP INCREASED (=H 1543). *TO INCREASE THE MEMBERSHIP OF THE CITY OF ASHEVILLE BOARD OF ALCOHOLIC CONTROL.* Identical to H 1543, introduced 5/20/04.
Intro. by Nesbitt.
Ref. to St. Gov. BUNCOMBE

S 1308. ASHEVILLE CIVIL SERVICE BOARD (=H 1551). *RELATING TO THE TERMS OF THE MEMBERS OF THE CIVIL SERVICE BOARD OF THE CITY OF ASHEVILLE.* Identical to H 1551, introduced 5/20/04.
Intro. by Nesbitt.
Ref. to St. Gov. BUNCOMBE

S 1309. APEX CONDITIONAL ZONING/ROADS. *AUTHORIZING THE TOWN OF APEX TO ENGAGE IN CONDITIONAL ZONING AND TO EXPEND FUNDS ON ROADS OUTSIDE OF ITS CORPORATE LIMITS.* Amends charter of Town of Apex as title indicates.
Intro. by Stevens.
Ref. to Finance WAKE

S 1310. EAST MARKET STREET REVITALIZATION FUNDS. *TO APPROPRIATE FUNDS TO THE EAST MARKET STREET DEVELOPMENT CORPORATION.* Appropriates $500,000 for fiscal year 2004-2005 from General Fund to East Market Street Development Corporation for redevelopment of old Post Office site. Effective July 1, 2004.
Intro. by Dorsett, Hagan.
Ref. to Appropriations LOCAL APPROP

S 1311. A&T/UNC-G APPROPRIATIONS. *TO APPROPRIATE FUNDS TO THE BOARD OF GOVERNORS FOR NORTH CAROLINA AGRICULTURAL AND TECHNICAL STATE UNIVERSITY AND THE UNIVERSITY OF NORTH CAROLINA AT GREENSBORO TO ASSIST WITH COSTS REGARDING CAMPUS IMPROVEMENTS*

AND OPERATING NEEDS OF THE MILLENNIUM CAMPUS SHARED BY THE TWO UNIVERSITIES. Appropriates $354,863 for 2004-2005 from General Fund for Millennium Campus operating needs and $3,656,000 for Campus improvements, as title indicates. Effective July 1, 2004.
Intro. by Dorsett, Hagan.
Ref. to Appropriations APPROP

S 1312. LOCAL GOV'T EMPLOYEES/457 PLAN. *TO AUTHORIZE PARTICIPATION IN 457 PLANS BY LOCAL GOVERNMENTAL EMPLOYEES.* Amends GS 143B-426.24(h) to provide that an employee of county, city, NC community college system, or any political subdivision of the state may participate in any 457 Plan adopted by the state, with the consent of the Board of Trustees of the NC Public Employee Deferred Compensation Plan and with the consent of the governing board of the unit where the employee is employed. Effective July 1, 2004.
Intro. by Dorsett.
Ref. to St. Gov. GS 143B

S 1313. POSTRETIREMENT EARNINGS STUDY. *TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE LIMITATION ON POSTRETIREMENT EARNINGS BY RETIREES AND TO APPROPRIATE FUNDS TO IMPLEMENT THAT STUDY.* Appropriates $20,000 for 2004-2005 from General Fund to General Assembly as title indicates. Effective July 1, 2004.
Intro. by Dorsett, Hagan.
Ref. to Rules STUDY, APPROP

S 1314. FUNDS FOR COMMUNITY HEALTH CENTERS (=H 1623). *TO APPROPRIATE FUNDS TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, OFFICE OF RESEARCH, DEMONSTRATIONS, AND RURAL HEALTH DEVELOPMENT, FOR A GRANT PROGRAM TO ASSIST IN THE PROVISION OF PRIMARY AND PREVENTIVE MEDICAL AND DENTAL SERVICES TO UNINSURED OR MEDICALLY INDIGENT PATIENTS.* Identical to H 1623, introduced 5/24/04.
Intro. by Hartsell.
Ref. to Appropriations APPROP

S 1315. CABARRUS BOARD OF EQUALIZATION AND REVIEW. *TO AUTHORIZE THE APPOINTMENT OF A SPECIAL BOARD OF EQUALIZATION AND REVIEW FOR CABARRUS COUNTY.* Authorizes the chair of the board of E. and R., in a general reappraisal year, to divide the board into 2 or more separate panels with a minimum of 3 members each. A decision by a panel has the same effect as a decision by the entire board.
Intro. by Hartsell.
Ref. to St. Gov. CABARRUS

S 1316. MOUNT PLEASANT ANNEXATION. *TO ANNEX CERTAIN DESCRIBED TERRITORY TO THE TOWN OF MOUNT PLEASANT.* As title indicates. Effective June 30, 2004.
Intro. by Hartsell.
Ref. to Finance CABARRUS

S 1317. BD. OF LAW EXAMINERS/FEES/ATTY. SOLICITATION. *TO DELAY THE EFFECTIVE DATE OF THE IMPOSITION OF A FEE PAYABLE TO THE STATE BUREAU OF INVESTIGATION BY THE NORTH CAROLINA BOARD OF LAW EXAMINERS FOR CRIMINAL HISTORY RECORDS CHECKS, TO AUTHORIZE THE BOARD OF LAW EXAMINERS TO COLLECT FEES ASSOCIATED WITH CRIMINAL HISTORY RECORDS CHECKS, AND TO STRENGTHEN THE RULES REGARDING WHEN AND UNDER WHAT CIRCUMSTANCES A LAWYER MAY SOLICIT BUSINESS FROM A PROSPECTIVE CLIENT.* Amends GS 84-24 and SL 2002-126, Sec. 29A.12(b), as title indicates. Effective Oct. 1, 2004, enacts new GS 84-23.2, prohibiting a lawyer from soliciting the business of a prospective client if the lawyer knows or reasonably should know that the physical, emotional, or mental state of the individual makes it unlikely that the person would exercise reasonable judgment in employing a lawyer. Presumes that such knowledge exists when a written communication is received within 90 days after incident resulting in personal injury or death. Requires that a lawyer file all written client solicitations with the NC State Bar Council on a quarterly basis and must retain a copy of those solicitation for two years. Grants Council disciplinary jurisdiction violation of section.
Intro. by Rand.
Ref. to Judiciary I GS 84

S 1318. ALLOCATION FORMULA/CHILD CARE SUBSIDY FUNDS. *RELATING TO THE ALLOCATION FORMULA FOR THE DISTRIBUTION OF STATE AND FEDERAL CHILD CARE SUBSIDY FUNDS.* Blank bill.
Intro. by Rand.
Ref. to Rules UNCODIFIED

S 1319. NASH COUNTY COURTHOUSE SECURITY FUNDS. *TO APPROPRIATE FUNDS TO NASH COUNTY TO IMPROVE SECURITY AT THE COURTHOUSE.* Appropriates $100,000 for 2004-2005 from General Fund to Nash County as title indicates. Effective July 1, 2004.
Intro. by Swindell.
Ref. to Appropriations LOCAL APPROP

S 1320. CITY OF HENDERSON LOCAL ACT. *RELATING TO THE CITY OF HENDERSON.* Blank bill.
Intro. by Swindell.
Ref. to Rules VANCE

S 1321. NASH COUNTY LOCAL ACT. *RELATING TO THE COUNTY OF NASH.* Blank bill.
Intro. by Swindell.
Ref. to Rules NASH

S 1322. CITY OF ROCKY MOUNT LOCAL ACT. *RELATING TO THE CITY OF ROCKY MOUNT.* Blank bill.
Intro. by Swindell.
Ref. to Rules NASH, EDGECOMBE

S 1323. RESTORE VOC. EDUC. FUNDING FOR 7TH GRADE (=H 1634). *TO RESTORE FUNDING FOR VOCATIONAL EDUCATION FOR SEVENTH GRADE STUDENTS.* Identical to H 1634, introduced 5/24/04.
Intro. by Swindell.
Ref. to Appropriations APPROP

S 1324. FUNDS FOR INTERPRETER SERVICES (=H 1644). *TO APPROPRIATE FUNDS FOR INTERPRETER SERVICES IN LOCAL HEALTH DEPARTMENTS AND LOCAL DEPARTMENTS OF SOCIAL SERVICES.* Identical to H 1644, introduced 5/25/04.
Intro. by Purcell.
Ref. to Appropriations APPROP

HOUSE BILLS

H 1640. DARE AFFORDABLE HOUSING FOR TEACHERS. *TO AUTHORIZE THE DARE COUNTY BOARD OF EDUCATION TO CONSTRUCT AND PROVIDE AFFORDABLE RENTAL HOUSING FOR TEACHERS AND OTHER LOCAL GOVERNMENTAL EMPLOYEES.* As title indicates, authorizing one housing project on the beach area of Dare County north of Oregon Inlet, one on Hatteras Island, and one on the Roanoke Island/mainland section of Dare County, housing to be situated on property owned or leased by the Dare County Board of Education.
Intro. by Culpepper.
Ref. to Rules DARE

H 1641. PROMOTE TOURISM/FUNDS. *TO APPROPRIATE FUNDS TO THE DIVISION OF TOURISM, FILM AND SPORT DEVELOPMENT.* Appropriates $1,000,000,000 for 2004-2005 from General Fund as title indicates. Effective July 1, 2004.
Intro. by Owens.
Ref. to Appropriations APPROP

H 1642. STUDY TAX PREFERENCES. *TO REQUIRE THE REVENUE LAWS STUDY COMMITTEE TO CONDUCT A REVIEW OF ALL TAX EXPENDITURES AT LEAST ONCE EVERY FIVE YEARS.* Amends GS 120-70.106 as title indicates. First review shall be reported to the 2005 General Assembly. Appropriates from the General Fund to the General Assembly $10,000 for 2004-05 to conduct the review. Effective July 1, 2004.
Intro. by Glazier.
Ref. to Rules GS 120, APPROP

H 1643. 5-YR PHASE OUT COUNTY MEDICAID SHARE (=S 1271). *TO PHASE OUT THE COUNTY SHARE OF THE NONFEDERAL SHARE OF MEDICAID COSTS OVER A FIVE-YEAR PERIOD AND TO PROVIDE IMMEDIATE RELIEF FOR TIER ONE COUNTIES.* Identical to S 1271, introduced 5/24/04.
Intro. by Hunter.
Ref. to Appropriations GS 108A

H 1644. FUNDS FOR INTERPRETER SERVICES. *TO APPROPRIATE FUNDS FOR INTERPRETER SERVICES IN LOCAL HEALTH DEPARTMENTS AND LOCAL DEPARTMENTS OF SOCIAL SERVICES.* Appropriates $3,000,000 for 2004-2005 from General Fund to DHHS, Div'n of Public Health, as title indicates. Funds may be also used to recruit and hire bilingual providers. $175,000 of funds may be used for training and continuing education for interpreters. Effective July 1, 2004.
Intro. by Alexander.
Ref. to Appropriations APPROP

H 1645. FUNDS FOR MENTAL HEALTH SERVICES (=S 1290). *TO APPROPRIATE FUNDS TO THE TRUST FUND FOR MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES AND BRIDGE FUNDING NEEDS FOR ONETIME EXPENDITURES BY AREA AND COUNTY PROGRAMS TO BUILD COMMUNITY CAPACITY.* Identical to S 1290, introduced 5/24/04.
Intro. by Insko, Glazier.
Ref. to Appropriations APPROP

H 1646. FUNDS TO EQUALIZE STATE FUNDING/MH PROGRAMS. *TO APPROPRIATE FUNDS TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES FOR EQUALIZING STATE FUNDING AMONG AREA AND COUNTY PROGRAMS.* Appropriates $10,000,000 for 2004-2005 from General Fund to DHHS, Div'n of Mental Health, Dev. Disabilities, & Sub . Abuse Services, as title indicates. Effective July 1, 2004.
Intro. by Insko.
Ref. to Appropriations APPROP

H 1647. ENHANCE RETIREMENT BENEFITS. *TO ENHANCE THE BENEFITS PAYABLE TO MEMBERS OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM.* Amends GS 135-5 to increase percentage of average final compensation on which retirement is based from 1.82% to 1.90% per year of service for persons retiring on or after July 1, 2004. Effective July 1, 2004.
Intro. by Insko.
Ref. to Pensions GS 135

H 1648. STATE FIRE PROTECTION STUDY/FUNDS. *AUTHORIZING THE CREATION OF THE STATE FIRE PROTECTION STUDY COMMISSION AND APPROPRIATING FUNDS FOR THE COMMISSION.* Creates 15-member State Fire Protection Study Comm'n to review current methods of compensating local fire districts and political subdivisions of the state for providing local fire protection to state buildings, and to recommend ways to automatically increase compensation by applying reliable adjustment factors. Requires that final Comm'n report be made to the 2006 Regular Session of the 2005 General Assembly. Effective July 1, 2004.
Intro. by Insko, Hackney.
Ref. to Rules STUDY

H 1649. WAKE IMPAIRED HUNTING REGULATION. *TO AUTHORIZE WAKE COUNTY TO REGULATE THE USE OF ALCOHOL AND OTHER IMPAIRING SUBSTANCES WHILE HUNTING WITH FIREARMS.* As title indicates. Violation is Class 3 misdemeanor.
Intro. by Munford.
Ref. to Wildlife Resources WAKE

H 1650. TRANSYLVANIA COMM. COLL. CAMPUS/EQUIP. FUNDS. *TO APPROPRIATE FUNDS FOR EQUIPMENT AT THE TRANSYLVANIA COUNTY CAMPUS OF BLUE RIDGE COMMUNITY COLLEGE.* Appropriates $171,416 for 2004-2005 from General Fund to Community Colleges System Office as title indicates. Effective July 1, 2004.
Intro. by Walend.
Ref. to Appropriations APPROP

H 1651. STUDY STATE PERSONNEL ACT/FUNDS. *TO ESTABLISH A LEGISLATIVE STUDY COMMISSION TO RECOMMEND CHANGES TO THE STATE PERSONNEL ACT AND APPROPRIATING FUNDS FOR THAT PURPOSE.* Creates 12-member Comm'n as title indicates, six members to be appointed by the Pres. Pro Tem. and six by the Speaker. Requires that Comm'n conduct a comprehensive review of the State Personnel Act and submit final report on or before the convening of the 2005 Regular Session of the 2005 General Assembly. Authorizes Comm'n to make recommendations to rewrite the Act in order to develop a contemporary human resource system that is more effective, cost efficient, and beneficial to employees and taxpayers. Appropriates $50,000 from the General Fund to the General Assembly for 2004-2005 to fund Comm'n. Effective July 1, 2004.
Intro. by Gibson.
Ref. to Rules STUDY, APPROP

H 1652. UNION COMMISSIONERS/SCHOOL BOARD ELECTION. *TO ALLOW THE UNION COUNTY BOARD OF COMMISSIONERS AND THE UNION COUNTY BOARD OF EDUCATION TO CHANGE THE SIZE OF THE BOARD AND PROVIDE FOR THE ELECTION OF SOME OR ALL OF ITS MEMBERS BY DISTRICTS.* As title indicates, changes adopted in 2004 shall become effective with 2006 election.
Intro. by Gibson.
Ref. to Rules UNION

H 1653. NIA, INC. YOUTH PROGRAMS FUNDS. *TO APPROPRIATE FUNDS TO NIA, INC. TO SUPPORT THE ORGANIZATION'S YOUTH PROGRAMS IN MECKLENBURG COUNTY.* Appropriates $150,000 for 2004-2005 from General Fund to NIA Ministries, Inc. as title indicates. Effective July 1, 2004.
Intro. by Wainwright.
Ref. to Rules APPROP

H 1654. NC DARE FUNDS. *APPROPRIATING FUNDS TO THE NORTH CAROLINA D.A.R.E. (DRUG ABUSE RESISTANCE EDUCATION) OFFICERS ASSOCIATION, INC., A NONPROFIT CORPORATION.* Appropriates $25,000 for 2004-2005 from General Fund to NC D.A.R.E. as title indicates, to be used to help NC students make sound decisions about alcohol, tobacco, and other drugs and to provide in-service training to increase the effectiveness of law enforcement officers in the classroom. Effective July 1, 2004.
Intro. by Wainwright.
Ref. to Rules APPROP

H 1655. INCENTIVE FOR HIGHER WAGES. *TO LIMIT THE CORPORATE DEDUCTION FOR EXCESSIVE COMPENSATION OF CORPORATE EXECUTIVES RELATIVE TO RANK AND FILE EMPLOYEES.* Amends GS 105-130.5 for determining state corporate income tax to tax the amount by which the corporation's deduction under federal tax code for compensation paid to employee or officer exceeds an amount equal to 50 times the annual compensation of the corporation's lowest paid full-time employee. Effective for taxable years beginning on or after Jan. 1, 2004. Provides that penalty for underpayment of estimated taxes not to apply for a taxable year beginning on or after Jan. 1, 2004, but before Jan. 1, 2005, if based on underpayment created by this act.
Intro. by Luebke.
Ref. to Finance GS 105

H 1656. REDUCE AND ELIMINATE CIGARETTE CREDITS. *TO REDUCE AND ELIMINATE THE TAX CREDITS FOR CIGARETTE EXPORTATION.* Amends GS 105-130.45(b) (effective Jan. 1, 2005) and (c) (effective Jan. 1, 2004) as title indicates, reducing cap on credit to $3 million (was, $6 million). Further amends GS 105-130.46(d), reducing enhanced cigarette exportation credit to $5 million (was, $10 million). Repeals GS 105-130.46 and GS-130.45 effective Jan. 1, 2007.
Intro. by Luebke.
Ref. to Finance GS 105

H 1657. NO NONPROFIT REFUNDS FOR ALCOHOL & TOBACCO. *TO PROHIBIT SALES TAX REFUNDS FOR NONPROFIT ENTITIES' PURCHASES OF ALCOHOLIC BEVERAGES AND TOBACCO PRODUCTS.* Amends GS 105-164.14(b) as title indicates. Effective July 1, 2004.
Intro. by Luebke, Insko, Weiss.
Ref. to Finance GS 105

H 1658. POSTRETIREMENT EARNINGS STUDY (=S 1313). *TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE LIMITATION ON POSTRETIREMENT EARNINGS BY RETIREES AND TO APPROPRIATE FUNDS TO IMPLEMENT THAT STUDY.* Identical to S 1313, introduced 5/25/04.
Intro. by Jeffus.
Ref. to Rules STUDY, APPROP

H 1659. PERQUIMANS HUNTING STAND AMENDMENT. *TO AMEND THE LAW REGULATING THE USE OF HUNTING STANDS IN PERQUIMANS COUNTY.* Decreases the minimum height of a stand from which it is lawful to hunt with a center-fired rifle in Perquimans County from 8 to 5 feet. Effective Oct. 1, 2004.
Intro. by Culpepper.
Ref. to Wildlife Resources PERQUIMANS

CALENDAR ACTION
May 25, 2004

NOTES
1. Amendments and committee substitutes adopted today are summarized in the following section of today's Daily Bulletin.
2. The dates on which previous amendments or committee substitutes were adopted are listed below bill numbers.
3. The action "Cal Pursuant Rule 36b" indicates that the bill has been reported by committee and is awaiting calendaring by the Rules Committee.
4. Enacted bills are indicated by #, failed bills by *.

PUBLIC BILLS

H1352 EMERGENCY FUNDING FOR ONE NC & NEIT.	S	REC FROM HOUSE
	S	REF TO COM ON APPROPRIATIONS/ BASE BUDGET
05-19-04		
H1356 INCREASE FEES/QUALIFS. FOR DWI ASSESSMENTS.	H	PASSED 2ND READING
H1366 INVOLUNTARY COMMITMENT WARRANT CLARIFICATION.	H	REPTD FAV
	H	CAL PURSUANT RULE 36(B)
	H	PLACED ON CAL FOR 5/26/2004
H1373 INCREASE PENALTY-TRANSIT OPERATOR ASSAULT.	HA	REPTD FAV COM SUBSTITUTE
	H	CAL PURSUANT RULE 36(B)
	H	PLACED ON CAL FOR 5/26/2004
05-25-04		
H1448 NOTICE PERIOD FOR SALES AND USE TAX REFUNDS.	H	PASSED 2ND & 3RD READING
H1455 SBE STUDY ALP FUNDING.	H	REPTD FAV
	H	CAL PURSUANT RULE 36(B)
	H	PLACED ON CAL FOR 5/26/2004
H1465 ALLOW FAMILY BUSINESS TO LEASE FARMLAND.	H	PASSED 2ND & 3RD READING
H1479 AMEND SEX OFFENDER REGISTRATION.	HA	REPTD FAV COM SUBSTITUTE
	H	RE-REF COM ON APPROPRIATIONS
05-25-04		
H1497 ADOPT FLAT FEE FOR DEBT COLLECTION.	HA	AMEND ADOPTED #1
	H	PASSED 2ND READING
05-25-04		
S1063 ELIMINATE IRB WAGE STANDARD.	S	REPTD FAV
	S	PLACED ON CAL FOR 5/27/2004

LOCAL BILLS

H1350 CHADBOURN MAYOR'S TERM.	H	WITHDRAWN FROM COMM
	H	RE-REF COM ON RULES, CALENDAR, AND OPERATIONS OF THE HOUSE

H1386 INDIAN TRAIL TOWN ATTORNEY.	S	REC FROM HOUSE
	S	REF TO COM ON STATE GOVERNMENT, LOCAL GOVERNMENT, AND VETERANS' AFFAIRS
05-20-04		
H1426 GREENVILLE PARKING DECK PROJECTS.	S	REC FROM HOUSE
	S	REF TO COM ON STATE GOVERNMENT, LOCAL GOVERNMENT, AND VETERANS' AFFAIRS
05-20-04		
H1433 WAKE CTY HISTORIC PRESERVATION COMM.	S	REC FROM HOUSE
	S	REF TO COM ON STATE GOVERNMENT, LOCAL GOVERNMENT, AND VETERANS' AFFAIRS
05-20-04		
H1447 CITY OF GREENVILLE-ABANDONED/JUNKED VEHICLES.	H	PASSED 3RD READING
05-24-04		
S1060 TOWN OF FRANKLIN OCCUPANCY TAX.	S	REPTD FAV
	S	PLACED ON CAL FOR 5/27/2004
S1093 EDGECOMBE TAX CERTIFICATION.	S	REPTD FAV COM SUBSTITUTE
	SA	COM SUBSTITUTE ADOPTED
	S	PLACED ON CAL FOR 5/27/2004
05-25-04		
S1096 CONCORD/KANNAPOLIS BOUNDARIES ADJUSTED.	S	REPTD FAV
	S	PLACED ON CAL FOR 5/27/2004
S1177 RANDLEMAN SATELLITE ANNEXATIONS.	S	REPTD FAV
	S	PLACED ON CAL FOR 5/27/2004
S1189 EXPAND CHADBOURN ETJ.	S	REPTD FAV
	S	PLACED ON CAL FOR 5/27/2004

SUMMARIES OF AMENDMENTS AND COMMITTEE SUBSTITUTES

HOUSE BILLS

H 1373. INCREASE PENALTY-TRANSIT OPERATOR ASSAULT. Intro. 5/11/04. House committee substitute makes the following changes to 1st edition. Clarifies that victim of assault may be public employee or private contractor employed as public transit operator.

H 1479. AMEND SEX OFFENDER REGISTRATION. Intro. 5/17/04. House committee substitute makes the following changes to 1st edition. Makes technical changes only.

H 1497. ADOPT FLAT FEE FOR DEBT COLLECTION. Intro. 5/18/04. House amendment makes the following changes to 1st edition. Changes effective date from Oct. 1, 2004, to Jan. 1, 2005.

NEXT SESSIONS

May 26, 2004

HOUSE convenes at 3:00 p.m.

SENATE convenes at 3:00 p.m.

J41
2004/11

Daily Bulletin

ACTIONS BY THE NORTH CAROLINA GENERAL ASSEMBLY

Institute *of* Government—School of Government
The University of North Carolina at Chapel Hill
Legislative Reporting Service, Box 7294 State Legislative Building, Raleigh, NC 27601
Phone 919.733.2484 Fax 919.715.3464

House Legislative Day 114 Vol. 2004, No. 11 Senate Legislative Day 116

Wednesday, May 26, 2004

BILLS INTRODUCED TODAY

BILL #	SHORT TITLE	IDEN	COMMITTEE	GS INDEX OR COUNTIES AFFECTED
S 1325	TRANSYLVANIA COMM. COLL CAMPUS/EQUIP. FUNDS	H 1650	APPROPRIATIONS	APPROP
S 1326	EXTEND LOW-INCOME HOUSING CREDIT SUNSET		FINANCE	105
S 1327	NON-STATE ENTITIES REPORTING REQUIREMENTS		ST. GOV.	143, 147, APPROP
S 1328	CIVIL WAR CORRIDOR INFORMATION CENTER FUNDS		APPROPRIATIONS	APPROP
S 1329	SCHOOL-BASED HEALTH CENTERS FUNDS		APPROPRIATIONS	APPROP
S 1330	STUDY STATE BUSINESS TAXATION		RULES	STUDY, APPROP
S 1331	INCREASE ATTORNEY TAX FOR JUDICIAL CAMPAIGN		FINANCE	105, 163
S 1332	COURT FEE CHANGES		FINANCE	7A
S 1333	INTERNATIONAL CIVIL RIGHTS MUSEUM FUNDS		APPROPRIATIONS	APPROP
S 1334	CITY OF GREENSBORO LOCAL ACT-2		RULES	GUILFORD
S 1335	CITY OF GREENSBORO LOCAL ACT-1		RULES	GUILFORD
S 1336	STUDY STATE-LOCAL RELATIONSHIPS		RULES	STUDY, APPROP
S 1337	FUNDS FOR AT-RISK CHILDREN		APPROPRIATIONS	APPROP
S 1338	INVESTIGATORIAL ASSISTANT FUNDS/DISTRICT 16A	H 1405	APPROPRIATIONS	7A, APPROP
S 1339	BEAUTIFY MALL/HONOR PURPLE HEART RECIPIENTS		RULES	UNCODIFIED
S 1340	BRAC FUNDS		APPROPRIATIONS	APPROP
S 1341	DMV OFFICERS SUPPLEMENTAL JURISDICTION		JUDICIARY I	20
S 1342	HOSPITAL SVCES PAYMENTS BY PRISON/STATE HOSP.		APPROPRIATIONS	148, 122C
S 1343	WHITEVILLE ANNEXATION		FINANCE	COLUMBUS
H 1660	TOURISM EXPANSION ACT		APPROPRIATIONS	143B, 150B, APPROP
H 1661	CAP GAS TAX VARIABLE RATE	S 1278	FINANCE	105
H 1662	CHEROKEE/CLAY/SHOOTING FROM RIGHT-OF-WAY		WILDLIFE RESOURCES	CHEROKEE. CLAY
H 1663	GRAHAM RIVER-RAFTING USER TAX		FINANCE	GRAHAM
H 1664	CREATE JOBS/BUSINESS & TECH. TELECENTERS		APPROPRIATIONS	APPROP
H 1665	VENUE FOR JUVENILE HEARINGS		RULES	7B, APPROP
H 1666	GARNER/UNSAFE RESIDENTIAL BUILDINGS	S 1238	LOC. GOV. I	WAKE
H 1667	SANITARY DISTRICT SETOFF DEBT COLLECTION		RULES	105A
H 1668	AMEND WILSON SUPPLEMENTAL RETIREMENT FUND		PENSIONS	WILSON
H 1669	CLINTON CITY SCHOOLS PROPERTY TRANSFER		LOC. GOV. II	SAMPSON
H 1670	NEWTON FORCE ACCOUNT		LOC. GOV. I	CATAWBA
H 1671	MOORESVILLE STREETS AND SIDEWALKS	S 1288	FINANCE	IREDELL
H 1672	MEDICAL MALPRACTICE PREMIUMS		RULES	STUDY, APPROP

N.C. DOCUMENTS CLEARINGHOUSE
JUN 02 2004
STATE LIBRARY OF NORTH CAROLINA
RALEIGH

This publication is printed on permanent, acid-free paper in compliance with the North Carolina General Statutes.
Institute of Government—School of Government
The University of North Carolina at Chapel Hill

© 2004

H 1673	EXEMPT PARENTAL SAVINGS TRUST CONTRIBUTIONS	FINANCE	105
H 1674	ZEBULON CHARTER AMENDMENT	LOC. GOV. I	WAKE
H 1675	CONSIDERATION OF BILL CONCERNING SUSPENSION OF LICENSE UNDER IMPLIED CONSENT	JUDICIARY III	JOINT RES
H 1676	FUNDS FOR SPECIAL OLYMPICS	APPROPRIATIONS	APPROP
H 1677	AMEND PERSON FOX TRAPPING	WILDLIFE RESOURCES	PERSON
H 1678	NORWOOD ANNEXATIONS	FINANCE	STANLY
H 1679	REDUCE GASOLINE AND DIESEL TAX	FINANCE	105
H 1680	EXPAND HOMESTEAD TAX REDUCTION	FINANCE	105
H 1681	LICENSE SUSPENSION FOR PENDING DWI CHARGE	RULES	20
H 1682	TERM. PAR. RIGHTS/MURDER OF PARENT BY PARENT	RULES	7B
H 1683	HONORING WWII VETERANS	RULES	HOUSE RES

SUMMARIES OF BILLS INTRODUCED TODAY

SENATE BILLS

S 1325. TRANSYLVANIA COMM. COLL. CAMPUS/EQUIP. FUNDS (=H 1650). *TO APPROPRIATE FUNDS FOR EQUIPMENT AT THE TRANSYLVANIA COUNTY CAMPUS OF BLUE RIDGE COMMUNITY COLLEGE.* Identical to H 1650, introduced 5/25/04.
Intro. by Carpenter.
Ref. to Appropriations APPROP

S 1326. EXTEND LOW-INCOME HOUSING CREDIT SUNSET. *TO EXTEND THE SUNSET ON THE LOW-INCOME HOUSING TAX CREDITS AND TO MAKE A TECHNICAL CORRECTION.* As title indicates. Art. 3E, GS Ch. 105 to be repealed Jan. 1, 2010 (now, Jan. 1, 2006).
Intro. by Kerr.
Ref. to Finance GS 105

S 1327. NON-STATE ENTITIES REPORTING REQUIREMENTS. *TO CLARIFY AND STRENGTHEN THE REPORTING REQUIREMENTS OF NON-STATE ENTITIES RECEIVING STATE FUNDS.* Repeals GS 143-6.1 and replaces it with new GS 143-6.2. As with GS 143-6.1, requires that entities receiving state grants funds use those funds only for purpose for which they were appropriated. However, new GS 143-6.2(c) authorizes the Director of the Budget to report any violations of sec. to Attorney General and take other appropriate administrative actions. Effective when enacted, new GS 143-6.2(d) requires that the Office of State Budget and Management (OSBM) adopt rules to ensure the uniform administration of state grants by all state agencies, including rules that provide for oversight and monitoring of state grants, establish mandatory reporting and record maintenance requirements for grantees, and provide procedures for the suspension of disbursements for noncompliance. Requires that OSBM report to the Jt. Legis. Comm'n on Governmental Operations and Fiscal Research Division on noncompliance by grantees no later than May 1, 2007, and by May of each succeeding year. GS 143-6.2(l) authorizes the Attorney General to enforce provisions of act. Appropriates $25,000 for 2004-2005 from the General Fund to OSBM for purpose of developing rules required by act. Makes technical corrections. Effective July 1, 2005, except new GS 143-6.2(d), which is effective upon enactment.
Intro. by Kerr.
Ref. to St. Gov. GS 143, 147, APPROP

S 1328. CIVIL WAR CORRIDOR INFORMATION CENTER FUNDS. *TO APPROPRIATE FUNDS TO THE DEPARTMENT OF CULTURAL RESOURCES FOR STAFF POSITIONS FOR A CIVIL WAR CORRIDOR INFORMATION CENTER.* Appropriates $125,000 for 2004-2005 from General Fund to Dep't of Cultural Resources as title indicates. Effective July 1, 2004.
Intro. by Kerr.
Ref. to Appropriations APPROP

S 1329. SCHOOL-BASED HEALTH CENTERS FUNDS. *TO APPROPRIATE FUNDS TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO AID SCHOOL-BASED HEALTH CENTERS.* Appropriates $84,000 for 2004-2005 from General Fund to Dep't of Health & Human Services as title indicates. Effective July 1, 2004.
Intro. by Kerr.
Ref. to Appropriations APPROP

S 1330. STUDY STATE BUSINESS TAXATION. *DIRECTING THE REVENUE LAWS STUDY COMMITTEE TO STUDY A PROPOSAL TO REFORM AND SIMPLIFY STATE TAXATION OF BUSINESS ENTERPRISES AND APPROPRIATING FUNDS TO THE DEPARTMENT OF REVENUE FOR INFORMATION TECHNOLOGY NECESSARY TO ESTIMATE THE REVENUE IMPACT OF PROPOSALS TO IMPROVE STATE BUSINESS TAXATION.* As title indicates. Committee may report to 2005 legislative session and must make final report to 2006 legislative session. Appropriates $500,000 for 2004-2005 from General Fund to Dep't of Revenue to create computer-modeling capability to predict fiscal effect of proposed changes. Effective July 1, 2004.
Intro. by Clodfelter.
Ref. to Rules STUDY, APPROP

S 1331. INCREASE ATTORNEY TAX FOR JUDICIAL CAMPAIGN. *TO INCREASE THE PRIVILEGE TAX ON ATTORNEYS TO SUPPORT THE NORTH CAROLINA PUBLIC CAMPAIGN FINANCING FUND.* Deletes GS 105-41(a)(1) and replaces it with GS 105-41(a1), increasing license tax on attorneys to $100 (was, $50) and requiring that 50% of the amount collected be transferred to the NC Public Campaign Financing Fund (was, attorney could elect to contribute $50 to the Financing Fund). Makes conforming changes. Effective July 1, 2004.
Intro. by Clodfelter.
Ref. to Finance GS 105, 163

S 1332. COURT FEE CHANGES. *TO INCREASE AND ADJUST FEES IN THE GENERAL COURT OF JUSTICE.* Amends GS 7A-304(a)(2) and –305(a) to increase fees for use of courtrooms in criminal and civil matters in district courts to $17 (was $12) and in superior court to $35 (was, $16). Further amends GS 7A-304(a)(4), -304(a)(2). –306(a)(2) and 307(a)(2) to provide for an annual increase of fees remitted to the NC State Bar as follows. 2004-2005 - $2; 2005-2006 - $3; 2006-2007 - $4; and 2007-2008 and after - $5 (currently, $1.05). Amends GS 7A-304(a)(5) to increase the fee for using pretrial release services to $30 (was, $15). Amends GS 7A-305(a)(2) to increase fee for support of General Court of Justice to $82 (was, $69) and amends GS 7A-306(a)(2) and GS 7A-307(a)(2) to increase same fee to $75 (was, $30). Effective July 1, 2004.
Intro. by Clodfelter.
Ref. to Finance GS 7A

S 1333. INTERNATIONAL CIVIL RIGHTS MUSEUM FUNDS. *TO APPROPRIATE FUNDS TO SUPPORT THE INTERNATIONAL CIVIL RIGHTS CENTER AND MUSEUM.* Appropriates $3 million for 2004-2005 from General Fund to Sit-In Movement, Inc., as title indicates. Effective July 1, 2004.
Intro. by Hagan, Dorsett.
Ref. to Appropriations APPROP

S 1334. CITY OF GREENSBORO LOCAL ACT-2. *RELATING TO THE CITY OF GREENSBORO.* Blank bill.
Intro. by Hagan, Dorsett.
Ref. to Rules GUILFORD

S 1335. CITY OF GREENSBORO LOCAL ACT-1. *RELATING TO THE CITY OF GREENSBORO.* Blank bill.
Intro. by Hagan, Dorsett.
Ref. to Rules GUILFORD

S 1336. STUDY STATE-LOCAL RELATIONSHIPS. *TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE RELATIONSHIP BETWEEN THE STATE AND LOCAL GOVERNMENTS REGARDING THE PROVISION OF SERVICES REQUIRED BY STATE LAW, FUNDING ALLOCATIONS AND RESPONSIBILITY FOR SERVICES, AND LOCAL GOVERNMENT REVENUE OPTIONS.* Appropriates $25,000 for 2004-2005 from General Fund to General Assembly as title indicates. Requires that the Comm'n make a final report to the 2005 General Assembly. Effective July 1, 2004.
Intro. by Hoyle.
Ref. to Rules STUDY, APPROP

S 1337. FUNDS FOR AT-RISK CHILDREN. *TO APPROPRIATE FUNDS TO THE DEPARTMENT OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION TO ESTABLISH A PILOT PROGRAM FOR AT-RISK CHILDREN.* Appropriates $500,000 for 2004-2005 from General Fund to Dep't of Juvenile Justice and Delinquency. Prevention as title indicates. Dep't shall evaluate the pilot program and report on the program to the General Assembly by May 1, 2005. Effective July 1, 2004.
Intro. by Jenkins.
Ref. to Appropriations APPROP

S 1338. INVESTIGATORIAL ASSISTANT FUNDS/DISTRICT 16A (=H 1405). *TO APPROPRIATE FUNDS TO ESTABLISH AN INVESTIGATORIAL ASSISTANT POSITION IN PROSECUTORIAL DISTRICT 16A.* Identical to H 1405, introduced 5/12/04.
Intro. by Purcell.
Ref. to Appropriations GS 7A, APPROP

S 1339. BEAUTIFY MALL/HONOR PURPLE HEART RECIPIENTS. *TO BEAUTIFY THE STATE GOVERNMENT MALL AND TO HONOR THE MANY NORTH CAROLINIANS WHO HAVE BEEN AWARDED THE PURPLE HEART MEDAL.* Directs Dep't of Administration to use funds in its 2003-05 budget to remove the water fountain on the mall and to beautify the site. Directs the Legislative Services Comm'n to designate a site on the legislative grounds to serve as the site of a memorial to recipients of the Purple Heart.
Intro. by Rand, Nesbitt.
Ref. to Rules UNCODIFIED

S 1340. BRAC FUNDS. *TO APPROPRIATE FUNDS TO THE OFFICE OF THE GOVERNOR TO AID IN RESPONDING TO THE BASE REALIGNMENT AND CLOSURE COMMISSION TO PROTECT THE MILITARY AND CIVILIAN JOBS ASSOCIATED WITH THE MILITARY BASES IN OUR STATE.* Appropriates $2,000,000 for 2004-2005 from General Fund to Office of the Governor as title indicates. Effective July 1, 2004.
Intro. by Thomas.
Ref. to Appropriations APPROP

S 1341. DMV OFFICERS SUPPLEMENTAL JURISDICTION. *TO AUTHORIZE OFFICERS OF THE DIVISION OF MOTOR VEHICLES TO ENFORCE CERTAIN CRIMINAL LAWS.* Enacts new GS 20-49.1 as title indicates, granting DMV officers additional authority to enforce criminal laws in the following circumstances: (1) When they are enforcing laws within their jurisdiction and have probable cause to believe that person has committed a criminal act in their presence; and (2) when they are asked to provide temporary assistance by the head of a state or local law enforcement agency. Also authorizes Commn'r of Motor Vehicles or designee to investigate drivers license fraud and identity thefts related to drivers license fraud and make arrests for those offenses.
Intro. by Rand.
Ref. to Judiciary I GS 20

S 1342. HOSPITAL SVCES PAYMENTS BY PRISON/STATE HOSP. *TO PROVIDE THAT FOR ANY STATE PSYCHIATRIC HOSPITAL OR CORRECTIONAL FACILITY THAT PURCHASES HOSPITAL SERVICES, THE PAYMENTS FOR THESE SERVICES IS LIMITED TO THE MAXIMUM AMOUNTS PAID FOR HOSPITAL SERVICES UNDER THE TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN.* Amends GS 148-19(a) and GS 122C-187 as title indicates. Applies to payment amount for purchases of both hospital outpatient services and hospital inpatient services not related to the DRG reimbursement system of the Teacher's and State Employees' Comprehensive Major Medical Plan.
Intro. by Rand.
Ref. to Appropriations GS 148, 122C

S 1343. WHITEVILLE ANNEXATION. *TO ANNEX TO THE CITY OF WHITEVILLE THE EXISTING DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY OF US HIGHWAYS 74/76 AND 701 AROUND THE OVERPASS AREA TO HELP ACCOMMODATE THE MAINTENANCE REQUIREMENTS OF THE INTERCHANGE LIGHTING PROJECT.* As title indicates.
Intro. by Soles.
Ref. to Finance COLUMBUS

HOUSE BILLS

H 1660. TOURISM EXPANSION ACT. *TO CREATE A TOURISM DEVELOPMENT INVESTMENT GRANT PROGRAM AND A TOURISM DEVELOPMENT ACCOUNT TO FACILITATE THE EXPANSION OF THE TOURISM INDUSTRY IN THE STATE AND TO PROVIDE JOBS FOR CITIZENS OF THE STATE.* Adds new GS 143B-437.2 to establish tourism development grant program to be administered by Dep't of Commerce. To be eligible for grant, business must incur at least $25 million in development costs for project, which must attract specified percentages of out-of-state visitors (other conditions set out in bill). Creates Tourism Project Review Committee, whose members to be appointed by Sec'y of Commerce, and Tourism Project Comm'n, consisting of Sec'y of Commerce, Sec'y of Revenue, and State Controller. Committee to review applications and Comm'n to decide whether to approve project for grant. Amount of grant to be equal to specified percentages of state sales and privilege taxes associated with project. Adds new GS 143B-434.5 to create Tourism Development Account to provide grants to projects with total development costs of less than $25 million, with maximum grant of $100,000. Specifies reports to General Assembly on program. Exempts grant program from rule making under Art. 2A, GS Ch. 150B. Appropriates $500,000 for 2004-2005 fiscal year from General Fund to Dep't of Commerce for account. Effective July 1, 2004.
Intro. by Tolson.
Ref. to Appropriations GS 143B, 150B, APPROP

H 1661. CAP GAS TAX VARIABLE RATE (=S 1278). *TO CAP THE VARIABLE WHOLESALE COMPONENT OF THE MOTOR FUELS TAX RATE AT ITS CURRENT RATE.* Identical to S 1278, introduced 5/24/04.
Intro. by Decker.
Ref. to Finance GS 105

H 1662. CHEROKEE/CLAY/SHOOTING FROM RIGHT-OF-WAY. *TO PROHIBIT THE DISCHARGE OF A FIREARM FROM THE RIGHT-OF-WAY OF PUBLIC ROADS IN CHEROKEE AND CLAY COUNTIES.* As title indicates, makes violation a Class 3 misdemeanor. Applies to offenses committed on or after Oct. 1, 2004.
Intro. by West.
Ref. to Wildlife Resources CHEROKEE, CLAY

H 1663. GRAHAM RIVER-RAFTING USER TAX. *TO AUTHORIZE GRAHAM COUNTY TO IMPOSE A USER TAX ON THE BUSINESS OF PROVIDING RIVER RAFTING IN GRAHAM COUNTY.* As title indicates. Authorizes board of comm'rs to require that businesses charge user tax of $5.00 per day for each individual participating in river rafting. Requires that 50% of the net proceeds of tax fund the promotion of travel and tourism and 50% be used for the provision of emergency services.
Intro. by West.
Ref. to Finance GRAHAM

H 1664. CREATE JOBS/BUSINESS & TECH. TELECENTERS. *APPROPRIATING FUNDS TO THE E-NC AUTHORITY TO CREATE JOBS THROUGH THE DEVELOPMENT OF UP TO FOUR BUSINESS AND TECHNOLOGY TELECENTERS AND REQUIRING THE E-NC AUTHORITY TO REPORT TO THE GENERAL ASSEMBLY ON THE TECHNOLOGY EDUCATION AND PUBLIC ACCESS NEEDS OF CITIZENS AND BUSINESSES IN DISTRESSED URBAN AREAS OF THE STATE.* Appropriates $2 million for 2004-2005 from General Fund as title indicates. Authorizes Authority to use up to 5% of funds to cover program expenses and requires that Authority report to the Jt. Legis. Comm'n on Governmental Operations on program activities by Jan. 31, 2005, and quarterly thereafter. Effective July 1, 2004.
Intro. by Tolson.
Ref. to Appropriations APPROP

H 1665. VENUE FOR JUVENILE HEARINGS. *TO REQUIRE THE DISPOSITIONAL HEARING OF A JUVENILE WHO IS IN RESIDENTIAL TREATMENT BE HELD IN THE COUNTY IN WHICH THE JUVENILE IS RECEIVING TREATMENT AND TO APPROPRIATE FUNDS.* Amends GS 7B-1800 for purpose indicated in title. Requires Dep't of Juvenile Justice and Delinquency, in consultation with Administrative Office of the Courts, to develop and implement plan for supervision, services, and treatment of juveniles in residential treatment or foster care in counties or districts other than their counties of residence, effective Oct. 1, 2004. Appropriates $10,000 for 2004-2005 from General Fund to Dep't for plan. Effective July 1, 2004.
Intro. by Frye.
Ref. to Rules GS 7B, APPROP

H 1666. GARNER/UNSAFE RESIDENTIAL BUILDINGS (=S 1238). *TO ALLOW THE TOWN OF GARNER TO DECLARE RESIDENTIAL BUILDINGS IN COMMUNITY DEVELOPMENT TARGET AREAS UNSAFE AND TO DEMOLISH THOSE BUILDINGS USING THE SAME PROCESS AUTHORIZED FOR THE DEMOLITION OF UNSAFE NONRESIDENTIAL BUILDINGS.* Identical to S 1238, introduced 5/24/04.
Intro. by Ross, Ellis.
Ref. to Loc. Gov. I WAKE

H 1667. SANITARY DISTRICT SETOFF DEBT COLLECTION. *TO EXTEND TO SANITARY DISTRICTS THE SETOFF DEBT COLLECTION PROCEDURES CURRENTLY AVAILABLE TO COUNTIES AND CITIES.* Enacts new GS 105A-2(6)d. as title indicates, applicable to income tax refunds determined on or after Jan. 1, 2005.
Intro. by L. Allen.
Ref. to Rules GS 105A

H 1668. AMEND WILSON SUPPLEMENTAL RETIREMENT FUND. *TO AMEND THE ACT ESTABLISHING THE SUPPLEMENTAL RETIREMENT FUND FOR FIREMEN IN THE CITY OF WILSON.* Deletes requirement that disabled fireman's entitlement to benefits requires finding that there is not in city available position of employment of which he is capable of performing.
Intro. by Tolson.
Ref. to Pensions WILSON

H 1669. CLINTON CITY SCHOOLS PROPERTY TRANSFER. *AUTHORIZING THE CLINTON CITY BOARD OF EDUCATION TO CONVEY CERTAIN DESCRIBED PROPERTY BY PRIVATE SALE TO THE SAMPSON HIGH SCHOOL ALUMNI ASSOCIATION, INC.* As title indicates.
Intro. by Bell.
Ref. to Loc. Gov. II SAMPSON

H 1670. NEWTON FORCE ACCOUNT. *TO INCREASE THE FORCE ACCOUNT LIMIT FOR THE CITY OF NEWTON AND CATAWBA COUNTY AS TO A PARK.* Increases limit to $700,000 for park specified in bill. Expires Sept. 30, 2005.
Intro. by Setzer.
Ref. to Loc. Gov. I CATAWBA

H 1671. MOORESVILLE STREETS AND SIDEWALKS (=S 1288). *REPEALING ARTICLE VIII OF THE CHARTER OF THE TOWN OF MOORESVILLE, SO THAT THE GENERAL LAW ON STREET AND SIDEWALK IMPROVEMENTS WILL APPLY.* Identical to S 1288, introduced 5/24/04.
Intro. by Ray.
Ref. to Finance IREDELL

H 1672. MEDICAL MALPRACTICE PREMIUMS. *TO APPROPRIATE FUNDS TO THE DEPARTMENT OF INSURANCE TO STUDY THE ISSUE OF MEDICAL MALPRACTICE PREMIUMS IN CASES IN WHICH THE INSURED PRACTICES MEDICINE PART-TIME AND TO DEVELOP LEGISLATIVE PROPOSALS AND RECOMMENDATIONS.* Appropriates $50,000 for 2004-2005 from General Fund to Dep't of Insurance (DOI) as title indicates. Requires that DOI report its recommendations to the General Assembly by Feb. 1, 2005. Effective July 1, 2004.
Intro. by Insko.
Ref. to Rules STUDY, APPROP

H 1673. EXEMPT PARENTAL SAVINGS TRUST CONTRIBUTIONS. *TO EXEMPT FROM INCOME TAX CONTRIBUTIONS BY A PARENT OR GRANDPARENT TO A PARENTAL SAVINGS TRUST.* Amends GS 105-134.6(b)(13) and adds new GS 105-134.6(c)(9) for purpose indicated in title. Amount not to exceed the lesser of $5,000 per beneficiary or $10,000 per taxpayer for taxable year. Effective for taxable years beginning on or after Jan. 1, 2004.
Intro. by Insko.
Ref. to Finance GS 105

H 1674. ZEBULON CHARTER AMENDMENT. *CONCERNING FILLING OF VACANCIES IN THE BOARD OF COMMISSIONERS OF THE TOWN OF ZEBULON.* Amends the Zebulon Charter to prescribe the method of filling vacancies as title indicates.
Intro. by Eddins.
Ref. to Loc. Gov. I WAKE

H 1675. CONSIDERATION OF BILL CONCERNING SUSPENSION OF LICENSE UNDER IMPLIED CONSENT. *AUTHORIZING THE 2003 GENERAL ASSEMBLY, REGULAR SESSION 2004, TO CONSIDER A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT A LICENSE IMMEDIATELY SUSPENDED UNDER IMPLIED CONSENT SHALL BE HELD UNTIL ALL PENDING IMPAIRED DRIVING CHARGES ARE RESOLVED.* As title indicates.
Intro. by Sexton.
Ref. to Judiciary III JOINT RES

H 1676. FUNDS FOR SPECIAL OLYMPICS. *TO APPROPRIATE FUNDS TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES FOR SPECIAL OLYMPICS OF NORTH CAROLINA.* Appropriates $100,000 for 2004-2005 from General Fund to Dep't of Health & Human Services as title indicates. Effective July 1, 2004.
Intro. by Nye.
Ref. to Appropriations APPROP

H 1677. AMEND PERSON FOX TRAPPING. *TO LENGTHEN THE FOX TRAPPING SEASON IN PERSON COUNTY AND TO ELIMINATE THE SEASON BAG LIMITS ON THAT SEASON.* As title indicates. Establishes season from June 30 through February 28 (now, Jan. 2 through Jan. 31).
Intro. by G. Allen.
Ref. to Wildlife Resources PERSON

H 1678. NORWOOD ANNEXATIONS. *ADDING CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF NORWOOD.* As title indicates.
Intro. by Goodwin.
Ref. to Finance STANLY

H 1679. REDUCE GASOLINE AND DIESEL TAX. *TO REDUCE GASOLINE AND DIESEL TAXES BY ELIMINATING THE VARIABLE WHOLESALE COMPONENT OF THE MOTOR FUELS TAX.* As title indicates. Amends GS 105-449.80 to make motor fuel excise tax rate a flat rate of 17½ cents a gallon and deletes remaining provisions of statute. Makes conforming amendments to refund statues, GS 105-449.106 and –449.107. Effective July 1, 2004.
Intro. by Allred.
Ref. to Finance GS 105

H 1680. EXPAND HOMESTEAD TAX REDUCTION. *TO EXPAND THE HOMESTEAD EXCLUSION BY PROVIDING FOR AN INCOME TAX CREDIT FOR PROPERTY TAXES PAID ON A PRIMARY RESIDENCE BY ELDERLY AND DISABLED PERSONS WHOSE TAXABLE INCOMES ARE NOT MORE THAN TWENTY-FIVE THOUSAND DOLLARS AS ADJUSTED ANNUALLY.* Enacts new GS 105-151.28 as title indicates, providing for a credit equal to 50% of property taxes. Applicable only to individuals who are either 65 years of age and older or who are totally and permanently disabled, and who are not eligible for the GS 105-277.1 property tax homestead exclusion. Effective for tax years beginning on or after Jan. 1, 2004.
Intro. by Allred.
Ref. to Finance GS 105

H 1681. LICENSE SUSPENSION FOR PENDING DWI CHARGE. *TO REQUIRE THAT A LICENSE IMMEDIATELY SUSPENDED UNDER IMPLIED CONSENT SHALL BE HELD UNTIL ALL PENDING IMPAIRED DRIVING CHARGES ARE RESOLVED.* Amends GS 20-16.2(a) to require chemical analyst, before administering breath test, to inform person that driving privilege will be revoked immediately and will remain revoked until all impaired driving charges are resolved if (1) test reveals alcohol concentration of 0.08 or more; and (2) person has one or more impaired driving charges pending in this state or another jurisdiction when test administered. Effective Oct. 1, 2004.
Intro. by Sexton.
Ref. to Rules GS 20

H 1682. TERM. PAR. RIGHTS/MURDER OF PARENT BY PARENT. *TERMINATING THE PARENTAL RIGHTS OF A PARENT WHO MURDERS THE OTHER PARENT OF THE CHILD.* Amends GS 7B-1111(a)(8) to authorize termination of parental rights of parent who had committed murder or voluntary manslaughter of parent of the child.
Intro. by Moore.
Ref. to Rules GS 7B

H 1683. HONORING WWII VETERANS. *PAYING TRIBUTE TO THE VETERANS OF WORLD WAR II AND HONORING THE MEMORY OF THOSE WHO LOST THEIR LIVES IN SERVICE TO OUR COUNTRY.* As title indicates.
Intro. by Barnhart.
Ref. to Rules HOUSE RES

CALENDAR ACTION
May 26, 2004

NOTES
1. Amendments and committee substitutes adopted today are summarized in the following section of today's Daily Bulletin.
2. The dates on which previous amendments or committee substitutes were adopted are listed below bill numbers.
3. The action "Cal Pursuant Rule 36b" indicates that the bill has been reported by committee and is awaiting calendaring by the Rules Committee.
4. Enacted bills are indicated by #, failed bills by *.

PUBLIC BILLS

H1356	INCREASE FEES/QUALIFS. FOR DWI ASSESSMENTS.	H	PASSED 3RD READING
H1357	FIRE AND RESCUE PENSION INCREASE.	H	REPTD FAV
		H	RE-REF COM ON APPROPRIATIONS
H1366	INVOLUNTARY COMMITMENT WARRANT CLARIFICATION.	H	PASSED 2ND READING
H1373	INCREASE PENALTY-TRANSIT OPERATOR ASSAULT.	H	POSTPONED TO 5/27/2004
	05-25-04		
H1420	REGIONAL AGENCY DEBT SETOFF.	H	REPTD FAV
		H	CAL PURSUANT RULE 36(B)
H1455	SBE STUDY ALP FUNDING.	H	PASSED 2ND & 3RD READING
H1456	SBE STUDY USE OF AT-RISK FUNDS.	HA	REPTD FAV COM SUBSTITUTE
		H	CAL PURSUANT RULE 36(B)
	05-26-04		
H1497	ADOPT FLAT FEE FOR DEBT COLLECTION.	H	PASSED 3RD READING
	05-25-04		
H1514	STATE RETIREMENT COLA.	H	REPTD FAV
		H	RE-REF COM ON APPROPRIATIONS
S1150	STUDY MENTALLY ILL LTC RESIDENT ISSUES.	S	REPTD FAV
		S	RE-REF COM ON APPROPRIATIONS/ BASE BUDGET
S1218	CHILD RESTRAINT SYSTEMS MODIFIED.	S	REPTD FAV
		S	PLACED ON CAL FOR 6/1/2004

LOCAL BILLS

H1363	LAKE TOXAWAY MOTOR VEHICLE REGULATION.	H	REPTD FAV
		H	CAL PURSUANT RULE 36(B)
H1364	TRANSYLVANIA LAND ACQUISITION/ CONVEYANCE.	H	REPTD FAV
		H	CAL PURSUANT RULE 36(B)
H1378	EDGECOMBE/WILSON DEEDS.	H	REPTD FAV

		H	CAL PURSUANT RULE 36(B)
H1462	SEVEN DEVILS-REGULATE GOLF CARTS/UTIL. VEH.	H	REPTD FAV
		H	CAL PURSUANT RULE 36(B)
H1474	YANCEY COUNTY CONSTRUCTION.	H	REPTD FAV
		H	CAL PURSUANT RULE 36(B)
H1484	CLEVELAND COUNTY BOARD OF EDUCATION ELECTIONS.	H	REPTD FAV
		H	CAL PURSUANT RULE 36(B)
H1551	ASHEVILLE CIVIL SERVICE BOARD.	H	REPTD FAV
		H	CAL PURSUANT RULE 36(B)
H1564	CHARLOTTE REGIONAL VISITORS AUTHORITY.	H	WITHDRAWN FROM COMM
		H	RE-REF COM ON LOCAL GOVERNMENT I
H1566	ABOLISH WILKES COUNTY CORONER.	H	REPTD FAV
		H	CAL PURSUANT RULE 36(B)
S1044	WILKES VISITOR CENTER.	S	REPTD FAV
S1122	CHAPEL HILL SCHOOL SITES.	S	REPTD FAV
S1125	JOHNSTON CORONER ABOLISHED.	S	REPTD FAV
S1178	ABOLISH WILKES COUNTY CORONER.	S	REPTD FAV

SUMMARIES OF AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

S 1093. EDGECOMBE/WILSON TAX CERTIFICATION. Intro. 5/13/04. Senate committee substitute adopted 5/25/04 makes the following changes to 1st edition. Adds Wilson County to provisions of bill that adds Edgecombe County to those counties authorized to use tax certification process to assist in collection of delinquent property taxes.

HOUSE BILLS

H 1456. SBE STUDY USE OF AT-RISK-FUNDS. Intro. 5/17/04. House committee substitute changes 1st edition to clarify that State Board of Education will recommend, but not establish, percentage of at-risk funds to be used for services to suspended students.

NEXT SESSIONS

May 27, 2004

HOUSE convenes at 10:00 a.m.

SENATE convenes at 11:00 a.m.

G41
2004/12

Daily Bulletin

ACTIONS BY THE NORTH CAROLINA GENERAL ASSEMBLY

Institute *of* Government—School of Government
The University of North Carolina at Chapel Hill
Legislative Reporting Service, Box 7294 State Legislative Building, Raleigh, NC 27601
Phone 919.733.2484 Fax 919.715.3464

House Legislative Day 115 Vol. 2004, No. 12 Senate Legislative Day 117

Thursday, May 27, 2004

BILLS INTRODUCED TODAY

BILL #	SHORT TITLE	IDEN	COMMITTEE	GS INDEX OR COUNTIES AFFECTED
S 1344	TRADE JOBS FOR SUCCESS/FUNDS		APPROPRIATIONS	143B, APPROP
S 1345	CREDIT TO REVITALIZE CERTAIN MFG. SITES		FINANCE	105
S 1346	LOCAL HEALTH DEPT. ACCREDITATION		HEALTH	130A, APPROP
S 1347	KANNAPOLIS ABC STORE ELECTION		ST. GOV.	CABARRUS, ROWAN
S 1348	FUNDS FOR UNIVERSITY CAPITAL NEEDS		APPROPRIATIONS	APPROP
S 1349	GREENHOUSE GASES EMISSIONS DATA/REPORT FUNDS		AGRICULTURE	APPROP
S 1350	MILITARY BUSINESS CENTER		APPROPRIATIONS	66, APPROP
S 1351	GREENSBORO CHILDREN'S MUSEUM FUNDS		APPROPRIATIONS	LOCAL APPROP
S 1352	14TH SENATORIAL DISTRICT LOCAL ACT		RULES	WAKE
S 1353	MONROE CLAIMS SETTLEMENT	H 1588	ST. GOV.	UNION
S 1354	UNC NONAPPROPRIATED CAPITAL PROJECTS	H 1699	FINANCE	APPROP
S 1355	GOLDSBORO NOTICE/ORDINANCE VIOLATION		ST. GOV.	WAYNE
S 1356	GIBSONVILLE WHITSETT BOUNDARY		FINANCE	ALAMANCE
S 1357	INCREASE PENALTY FOR THREATS TO CHILDREN		HELD AS FILED	14
S 1358	CHARTER SCHOOL RETIREMENT ELECTION		HELD AS FILED	135
S 1359	DURHAM/25-YEAR LEO RETIREMENT		ST. GOV.	DURHAM
S 1360	FUNDS FOR HEALTHY CAROLINIANS		APPROPRIATIONS	APPROP
S 1361	LOCAL HEALTH DEPARTMENT ACCREDITATION/FUNDS		HEALTH	130A, APPROP
S 1362	FUNDS FOR PUBLIC HEALTH INCUBATORS		APPROPRIATIONS	APPROP
S 1363	CARTERET WATER RESOURCES DEVELOP. PROJECTS		APPROPRIATIONS	APPROP
S 1364	PASSENGER VEHICLE TOWERS TO KEEP RIGHT		HELD AS FILED	20
S 1365	STATE GRANTEES DISCLOSE		HELD AS FILED	143
S 1366	STATE RETIREE DISCLOSURES/HEALTH BENEFIT LIAB.		HELD AS FILED	143, 147
S 1367	FOOD BANKS FUNDS	H 1685	APPROPRIATIONS	APPROP
S 1368	PROSECUTORIAL DISTRICT MONITORING/FUNDS		APPROPRIATIONS	7A, APPROP
S 1369	SAFE TRANSPORTATION FOR SCHOOL STUDENTS		HELD AS FILED	115C
S 1370	GOLDSBORO SURPLUS LOT DISPOSITION		ST. GOV.	WAYNE
S 1371	DISTRICT 26 FUNDS		APPROPRIATIONS	APPROP
S 1372	LOCAL SCHOOL CONSTRUCTION FINANCING STUDY		RULES	STUDY, APPROP
S 1373	WATER CONSERVATION IN GOVERNMENT FACILITIES		FINANCE	115C, 133, 142, 143, 160A
S 1374	ERC AIR QUALITY/TRANSPORTATION STUDIES		RULES	STUDY
S 1375	FUNDS TO TRACK GREENHOUSE GASES EMISSIONS	H 1715	APPROPRIATIONS	APPROP
S 1376	LOW EMISSION VEHICLES/FUNDS		AGRICULTURE	20, 143, APPROP
S 1377	STATE FIRE PROTECTION STUDY/FUNDS	H 1648	RULES	STUDY

N.C. DOCUMENTS CLEARINGHOUSE
JUN 02 2004
STATE LIBRARY OF NORTH CAROLINA
RALEIGH

This publication is printed on permanent, acid-free paper in compliance with the North Carolina General Statutes.
Institute of Government—School of Government
The University of North Carolina at Chapel Hill
© 2004

S 1378	STUDY STATE PERSONNEL ACT/FUNDS		
S 1379	FUNDS FOR WAKEMED BIOMEDICAL ALLIANCE		
S 1380	CREATE JOBS/BUSINESS & TECH. TELECENTERS		
S 1381	CATAWBA LAW CHANGE LOCAL ACT-1		
S 1382	RESAS/STAFF DEVELOPMENT FUNDS		
S 1383	4-H SPECIAL REGISTRATION PLATE		
S 1384	AMEND BARBERING LAWS/INCREASE FEES		
S 1385	OFFICE OF WOMEN'S HEALTH FUNDS		
S 1386	CHARTER SCHOOL GRANTS/MATCHING FUNDS		
S 1387	PROOF OF LEGAL STATUS REQUIRED/SOC. SERVICES		
H 1684	VANCE FOX SEASONS		
H 1685	FOOD BANKS FUNDS		
H 1686	DAVIE COMM. COLL. CAMPUS/FUNDS		
H 1687	CABARRUS BOARD OF EQUALIZATION AND REVIEW		
H 1688	CONCORD ANNEXATION EFFECTIVE DATE		
H 1689	UNC-CHARLOTTE BIOINFO. CTR./TUITION REMISSION		
H 1690	10 DAYS BONUS LEAVE CERTAIN PERSONNEL		
H 1691	FIRE AND RESCUE PENSION INCREASE		
H 1692	HISTORIC VEHICLES—EXEMPT FROM INSPECTION		
H 1693	AUTHORIZING CONSIDERATION OF BILL TO AMEND EMPLOYMENT SECURITY LAWS		
H 1694	ESC EXEMPTION FOR DOMESTIC/NURSING CARE		
H 1695	KERNERSVILLE ANNEXATION REFERENDA		
H 1696	FUNDS/EQUIPMENT FOR GROVE ARCADE ARTISANS		
H 1697	HEALTH ADVENTURE FUNDS		
H 1698	AMEND PITT COUNTY HUNTING LAW		
H 1699	UNC NONAPPROPRIATED CAPITAL PROJECTS		
H 1700	DURHAM VEHICLE TAX SUNSET REPEALED/USES		
H 1701	ONSHORE OPPORTUNITIES		
H 1702	LRC STUDY/NATUROPATHIC PRACT'R. LIC./FUNDS		
H 1703	AVERY/HERITAGE PARK AUTHORITY		
H 1704	ROANOKE-CHOWAN DRUG TASK FORCE FUNDS		
H 1705	EXEMPT BIODIESEL FROM MOTOR FULES TAXES		
H 1706	STUDY ADEQUACY OF LOW-WEALTH SCHOOL FUNDS		
H 1707	PURCHASE MILITARY SERVICE/LOCAL RETIREMENT		
H 1708	FUNDS FOR SENIOR CENTER PILOT PROGRAM		
H 1709	TRADE JOBS FOR SUCCESS/FUNDS		
H 1710	MOUNT PLEASANT ANNEXATION		
H 1711	LEO CREDITABLE SERVICE/WORKERS' COMPENSATION		
H 1712	WILSON DEER HUNTING REGULATION		
H 1713	TROY—POLICE ALL-TERRAIN VEHICLES		
H 1714	MONROE CLAIMS SETTLEMENT		
H 1715	FUNDS TO TRACK GREENHOUSE GASES EMISSIONS		
H 1716	4-H SPECIAL REGISTRATION PLATE		
H 1717	HOMES4NC SPECIAL LICENSE PLATE		
H 1718	SPORT FISHING SPECIAL REGISTRATION PLATE		
H 1719	FIRST IN FORESTRY PLATE DISTRIBUTION		
H 1720	DAUGHTERS OF AMERICAN REVOLUTION PLATE		
H 1721	CURRITUCK OCCUPANCY TAX CHANGES		
H 1722	CURRITUCK ABC BOARD MEMBERSHIP INCREASED		
H 1723	CHARTER SCHOOL RETIREMENT ELECTION		
H 1724	HARNETT COUNTY SUBDIVISIONS		
H 1725	REPEAL HARNETT COUNTY FOX HUNTING LAW		
H 1726	WINSTON-SALEM CODE ENFORCEMENT		
H 1727	2004 ESC OMNIBUS ACT		
H 1728	LAKE ROYALE POLICE AUTHORITY		
H 1651	RULES	STUDY, APPROP	
	APPROPRIATIONS	LOCAL APPROP	
H 1664	APPROPRIATIONS	APPROP	
	RULES	CATAWBA	
	APPROPRIATIONS	APPROP	
H 1716	FINANCE	20	
H 1622	FINANCE	86A	
	APPROPRIATIONS	APPROP	
	APPROPRIATIONS	115C	
	HELD AS FILED	108A	
	WILDLIFE RESOURCES	VANCE	
	APPROPRIATIONS	APPROP	
	APPROPRIATIONS	APPROP	
S 1315	LOG. GOV. I	CABARRUS	
	FINANCE	CABARRUS	
	APPROPRIATIONS	APPROP	
	RULES	UNCODIFIED	
S 1046	PENSIONS	58	
	RULES	20	
	HEALTH	JOINT RES	
	RULES	96	
	FINANCE	FORSYTH	
	APPROPRIATIONS	APPROP	
	APPROPRIATIONS	APPROP	
	WILDLIFE RESOURCES	PITT	
	APPROPRIATIONS	APPROP	
	FINANCE	DURHAM	
	FINANCE	105	
S 1268	RULES	STUDY	
	LOC. GOV. II	AVERY	
S 1156	APPROPRIATIONS	APPROP	
	FINANCE	105, 119	
	RULES	STUDY, APPROP	
	PENSIONS	128	
	APPROPRIATIONS	APPROP	
S 1344	APPROPRIATIONS	143B, APPROP	
S 1316	FINANCE	CABARRUS	
	PENSIONS	128	
	WILDLIFE RESOURCES	WILSON	
	LOC. GOV. I	MONTGOMERY	
H 1588	LOC. GOV. I	UNION	
S 1349	APPROPRIATIONS	APPROP	
	FINANCE	20	
	FINANCE	20	
	FINANCE	20	
	FINANCE	20	
	FINANCE	20	
	LOC. GOV. I	CURRITUCK	
	LOC. GOV. I	CURRITUCK	
	PENSIONS	135	
	LOC. GOV. I	HARNETT	
	WILDLIFE RESOURCES	HARNETT	
	LOC. GOV. II	FORSYTH	
	FINANCE	96	
	LOC. GOV. II	FORSYTH, NASH	

H 1729	FUNDS FOR ALS ASSOCIATION		APPROPRIATIONS	APPROP
H 1730	HOLDEN BEACH SEWER TREATMENT FEE		FINANCE	BRUNSWICK
H 1731	LELAND SATELLITE ANNEXATION		FINANCE	BRUNSWICK
H 1732	SOUTHPORT WARD BOUNDARIES		FINANCE	BRUNSWICK
H 1733	SOUTHPORT UTILITY UNDERGROUNDING		FINANCE	BRUNSWICK
H 1734	OCEAN ISLE CANAL DREDGING		FINANCE	BRUNSWICK
H 1735	CASINO NIGHTS BY NONPROFIT ORGANIZATIONS		RULES	14
H 1736	INCREASE FUNDING/FIRE & RESCUE PENSION		PENSIONS	58
H 1737	WINSTON-SALEM STRUCTURES		LOC. GOV. II	FORSYTH
H 1738	FUNDS/PROMOTE TOURISM & ECONOMIC DEVELOPMENT	S 1121	APPROPRIATIONS	LOCAL APPROP
H 1739	CREDIT FOR SKILLED NURSING FACILITY FEE		FINANCE	105
H 1740	TELECONFERENCING LAB ANALYST TESTIMONY/FUNDS		APPROPRIATIONS	APPROP
H 1741	FUNDS/WAKEMED EMERGENCY SERVICES INSTITUTE	S 1247	APPROPRIATIONS	LOCAL APPROP
H 1742	FUNDS FOR WAKEMED BIOMEDICAL ALLIANCE	S 1379	APPROPRIATIONS	LOCAL APPROP
H 1743	CREDIT TO REVITALIZE CERTAIN MFG. SITES	S 1345	APPROPRIATIONS	105
H 1744	EXEMPT UNEMPLOYMENT BENEFITS		FINANCE	105
H 1745	STATE GOVERNMENT INTERN PAY INCREASE		APPROPRIATIONS	APPROP
H 1746	ECONOMIC DEVELOPMENT—CONFLICT OF INTEREST		RULES	143B, APPROP

SUMMARIES OF BILLS INTRODUCED TODAY

SENATE BILLS

S 1344. TRADE JOBS FOR SUCCESS/FUNDS. *ESTABLISHING THE TRADE JOBS FOR SUCCESS INITIATIVE TO STIMULATE JOB GROWTH AND HIRING IN NORTH CAROLINA AND APPROPRIATING FUNDS FOR THAT PURPOSE.* Adds new Part 3C to Art. 10, GS Ch. 143B to establish the Trade Jobs for Success (TJS) initiative within Dep't of Commerce. Department must lead TSJ initiative in cooperation with the Employment Security Comm'n and Community Colleges System Office and implement TSJ in counties hardest hit by trade related job losses. Counties having unemployment rate of 8% or greater to receive priority consideration. Specifies programmatic components of TSJ initiative. Creates Trade Jobs for Success Fund (Fund) in the Department, a nonreverting fund to be used to implement TSJ initiative. Creates advisory council to assist Sec'y of Commerce in administration of fund. Council membership must include chair of Employment Security Comm'n or designee, president of Community Colleges System or designee, State Auditor or designee, and a representative of a statewide association to further the interests of business and industry in the state. Appropriates $1.5 million for 2004-2005 from General Fund to Dep't of Commerce for TSJ initiative. Appropriates $750,000 for 2004-2005 from General Fund to Community Colleges System Office to fund participation of local community colleges in TSJ initiative. Dep't must publish quarterly report on the initiative and provide report to the Joint Legislative Comm'n on Governmental Operations, the chairs of the Senate and House of Representatives Appropriations Committees, and the Fiscal Research Division of the General Assembly. Effective July 1, 2004.
Intro. by Hartsell, Dalton.
Ref. to Appropriations GS 143B, APPROP.

S 1345. CREDIT TO REVITALIZE CERTAIN MFG. SITES. *TO REVITALIZE TEXTILE AND FURNITURE MANUFACTURING COMMUNITIES PLAGUED BY ABANDONED BROWNFIELDS SITES BY GRANTING A TAX CREDIT TO REHABILITATE THE SITES.* Enacts new GS 105-129.16D, establishing a tax credit for rehabilitation of a brownfields site that was designed for use or was used as a textile or furniture manufacturing facility, where 80% or more of the site has not been operational for at least one year. Tax credit is equal to 50% of rehabilitation expenditures for an income-producing eligible site and 80% of rehabilitation expenditures for a nonincome producing site. Effective Jan. 1, 2004.
Intro. by Hartsell, Dalton.
Ref. to Finance GS 105

S 1346. LOCAL HEALTH DEPT. ACCREDITATION. *TO REQUIRE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO ESTABLISH A LOCAL HEALTH DEPARTMENT VOLUNTARY ACCREDITATION PROGRAM AND TO ESTABLISH THE LOCAL HEALTH DEPARTMENT ACCREDITATION BOARD; AND TO*

APPROPRIATE FUNDS TO IMPLEMENT THIS ACT. Amends GS Ch. 130A to establish a voluntary accreditation program for local health departments. Comm'n for Health Services must adopt rules establishing accreditation standards for local health departments that address the local health department's capacity to provide essential public health services as defined by the Centers for Disease Control and Prevention and the health department's governance, facilities, administration, staff competencies, and training procedures. Accreditation process must also include a self-assessment of specified services. Establishes Local Health Department Accreditation Board to assign accreditation status to local health departments that apply for accreditation. Board to be comprised of 15 members, eight appointed by the General Assembly, four upon recommendation of the President Pro Tem. of the Senate and two by each of the Speakers of the House; six by the Sec'y of Health and Human Services; and one by the Sec'y of Environment and Natural Resources. Appropriates $255,597 for 2004-2005 from General Fund to Dep't of Health & Human Services for administrative costs and activities of Accreditation Board for accreditation of six or fewer local health departments. Effective July 1, 2004.
Intro. by Hartsell.
Ref. to Health GS 130A, APPROP

S 1347. KANNAPOLIS ABC STORE ELECTION. *AUTHORIZING THE CITY OF KANNAPOLIS TO HOLD A REFERENDUM ON THE OPERATION OF ABC STORES AS PART OF THE ROWAN COUNTY ABC SYSTEM, AND TO SPECIFY HOW PROFITS FROM THOSE STORES SHALL BE DISTRIBUTED.* Authorizes Kannapolis to hold an election on the establishment of ABC stores pursuant to GS 18B-600(d). Sets ballot requirements. Provides for the distribution of receipts from ABC sales and the renaming of the Rowan County ABC board to the Rowan/Kannapolis ABC Board if operation of ABC stores is approved in Kannapolis.
Intro. by Hartsell.
Ref. to St. Gov. CABARRUS, ROWAN

S 1348. FUNDS FOR UNIVERSITY CAPITAL NEEDS. *TO APPROPRIATE FUNDS TO THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA TO FUND CAPITAL NEEDS AT WINSTON-SALEM STATE UNIVERSITY AND TO ESTABLISH THE CENTER FOR DESIGN INNOVATION.* Appropriates $5,465,000 for 2004-2005 from General Fund to UNC Board of Governors for a WSSU Dep't of Life Sciences in the Piedmont Triad Research Park and $13 million to establish the Center for Design Innovation as a component of the National Design Institute, also to be located in the Piedmont Triad Research Park. Effective July 1, 2004.
Intro. by Garrou.
Ref. to Appropriations APPROP

S 1349. GREENHOUSE GASES EMISSION DATA/REPORT FUNDS. *TO APPROPRIATE FUNDS TO GLOBAL WARMING INITIATIVES, A NONPROFIT CORPORATION THAT ENCOURAGES INDUSTRIES TO REDUCE THEIR EMISSIONS OF GREENHOUSE GASES AND TO VOLUNTARILY REPORT THEIR EMISSIONS FOR PUBLICATION IN A REGISTRY TO BE PUBLISHED EVERY TWO YEARS BY GLOBAL WARMING INITIATIVES.* Appropriates from General Fund $400,000 for 2004-05 as title indicates.
Intro. by Weinstein.
Ref. to Agriculture APPROP

S 1350. MILITARY BUSINESS CENTER. *TO APPROPRIATE FUNDS FOR THE DEVELOPMENT OF A STATEWIDE MILITARY BUSINESS CENTER AND A HOMELAND SECURITY BUSINESS INCUBATOR.* Appropriates $2 million for 2004-2005 from General Fund to Fayetteville Technical Community College for development and operation of a Military Business Center. Specifies permitted use of funds, including the development and operation of a business assistance center to coordinate and facilitate efforts of small-and medium-sized businesses to obtain military contracts. Amends GS 66-58 to make it inapplicable to the operation by a community college of a military business center, defined as a facility that serves to coordinate and facilitate interactions between the US Armed Forces; military personnel, veterans, and their families: and private businesses. Appropriates $200,000 for 2004-2005 from General Fund to NC Electronics and Information Technologies Association to develop a proposal for the development and operation of a homeland security business incubator. Effective July 1, 2004.
Intro. by Rand.
Ref. to Appropriations GS 66, APPROP

S 1351. GREENSBORO CHILDREN'S MUSEUM FUNDS. *TO APPROPRIATE FUNDS TO THE GREENSBORO CHILDREN'S MUSEUM.* Appropriates $50,000 for 2004-2005 from General Fund as title indicates. Effective July 1, 2004.
Intro. by Dorsett.
Ref. to Appropriations LOCAL APPROP

S 1352. 14TH SENATORIAL DISTRICT LOCAL ACT. *RELATING TO THE 14TH SENATORIAL DISTRICT.* Blank bill.
Intro. by Malone.
Ref. to Rules WAKE

S 1353. MONROE CLAIMS SETTLEMENT (=H 1588). *TO AMEND THE CHARTER OF THE CITY OF MONROE TO ALLOW THE CITY COUNCIL TO DELEGATE TO THE CITY MANAGER THE POWER TO SETTLE CERTAIN CLAIMS AGAINST THE CITY.* Identical to H 1588, introduced 5/20/04.
Intro. by Shubert.
Ref. to St. Gov. UNION

S 1354. UNC NONAPPROPRIATED CAPITAL PROJECTS (=H 1699). *TO AUTHORIZE THE CONSTRUCTION AND THE FINANCING, WITHOUT APPROPRIATIONS FROM THE GENERAL FUND, OF CERTAIN CAPITAL IMPROVEMENTS PROJECTS OF THE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA.* Identical to H 1699, introduced 5/27/04.
Intro. by Kerr.
Ref. to Finance APPROP

S 1355. GOLDSBORO NOTICE/ORDINANCE VIOLATION. *AUTHORIZING THE CITY OF GOLDSBORO TO GIVE ANNUAL NOTICE TO CHRONIC VIOLATORS OF THE CITY'S REFUSE AND DEBRIS ORDINANCE WITHOUT FURTHER NOTICE THAT CALENDAR YEAR.* Amends sec. 2, SL 2003-133 as title indicates.
Intro. by Kerr.
Ref. to St. Gov. WAYNE

S 1356. GIBSONVILLE WHITSETT BOUNDARY. *TO TRANSFER CERTAIN PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF GIBSONVILLE TO THE TOWN OF WHITSETT, SUCH PROPERTY BEING TOTALLY SURROUNDED BY THE TOWN OF WHITSETT.* As title indicates. Effective June 30, 2004.
Intro. by Berger.
Ref. to Finance ALAMANCE

S 1357. INCREASE PENALTY FOR THREATS TO CHILDREN. *TO INCREASE THE PENALTY FOR COMMUNICATING A THREAT TO A CHILD.* As title indicates, enacts new GS 14-277.1(c), increasing penalty to Class A1 (was, Class 1) misdemeanor when victim is under 13 years old and person committing offense is 18 or older. Effective Dec. 1, 2004.
Intro. by Berger.
Held as Filed GS 14

S 1358. CHARTER SCHOOL RETIREMENT ELECTION. *TO AUTHORIZE AN EXISTING CHARTER SCHOOL TO ELECT TO PARTICIPATE IN THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM AND THE NORTH CAROLINA TEACHERS' AND STATE EMPLOYEES' MAJOR MEDICAL PLAN.* Authorizes the Healthy Start Academy in Durham to elect participation in plans as title indicates, notwithstanding the time limitations contained in GS 135-5.3(b) and –40.3A(b).
Intro. by Lucas.
Held as Filed GS 135

S 1359. DURHAM/25-YEAR LEO RETIREMENT. *TO AUTHORIZE A LOCAL OPTION FOR DURHAM COUNTY TO ALLOW ITS LAW ENFORCEMENT OFFICERS WHO ARE MEMBERS OF THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM TO RETIRE WITH UNREDUCED BENEFITS AFTER COMPLETING TWENTY-FIVE YEARS OF SERVICE.* Enacts new GS 128-27(b22) as title indicates, applicable to Durham County only. Effective July 1, 2004.
Intro. by Lucas.
Ref. to St. Gov. DURHAM

S 1360. FUNDS FOR HEALTHY CAROLINIANS. *TO APPROPRIATE FUNDS TO ASSIST IN THE ESTABLISHMENT AND SUSTAINABILITY OF HEALTHY CAROLINIANS PARTNERSHIPS HEALTH PROMOTION INITIATIVES IN EACH COUNTY.* Appropriates $1,075,000 for 2004-2005 from General Fund to Dep't of Health & Human Services as title indicates. Effective July 1, 2004.
Intro. by Lucas.
Ref. to Appropriations APPROP

S 1361. LOCAL HEALTH DEPARTMENT ACCREDITATION/FUNDS. *TO REQUIRE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO ESTABLISH A LOCAL HEALTH DEPARTMENT VOLUNTARY ACCREDITATION PROGRAM; AND TO APPROPRIATE FUNDS TO IMPLEMENT THIS ACT.* Substantially similar to S 1346, summarized in today's Bulletin, but instead of creating an accreditation board within DHHS to establish the accreditation process, directs that the accreditation process be established and implemented by the NC Institute for Public Health in the UNC-CH School of Public Health. Appropriates $255,597 for 2004-2005 from General Fund to Dep't of Health & Human Services for administrative costs and for a contract with the Institute of Public Health to develop and implement the accreditation process for six or fewer health departments. Effective July 1, 2004.
Intro. by Hartsell.
Ref. to Health GS 130A, APPROP

S 1362. FUNDS FOR PUBLIC HEALTH INCUBATORS. *TO APPROPRIATE FUNDS TO IMPLEMENT FOUR PILOT PROJECTS THAT ESTABLISH VOLUNTARY REGIONAL PUBLIC HEALTH PARTNERSHIPS IN NORTHEASTERN NORTH CAROLINA.* Appropriates $2,250,000 for 2004-2005 from General Fund to DHHS for allocation to North Carolina Institute for Public Health, School of Public Health at UNC-CH, to coordinate the development of "public health incubators" that will assist public health dep'ts in underserved regions. Identifies manner in which funds shall be spent, including improving the capacity to conduct epidemiological investigations, monitoring health disparities, conducting community health assessments, and raising public awareness of health-related issues in partnership communities. Requires that DHHS report on its use of funds to the Senate and House Appropriations Committees on Health and Human Services on Oct. 1, 2004, and March 1, 2005. Effective July 1, 2004.
Intro. by Holloman.
Ref. to Appropriations APPROP

S 1363. CARTERET WATER RESOURCES DEVELOP. PROJECTS. *TO APPROPRIATE FUNDS FOR CERTAIN WATER RESOURCES DEVELOPMENT PROJECTS LOCATED IN CARTERET COUNTY.* Appropriates $1,289,000 for 2004-2005 from General Fund to Dep't of Environment & Natural Resources to provide the state's share of funds for water resources development projects in Carteret County so that the state is eligible to receive federal funds. Funds to be allocated as follows: $1 million for the Morehead City Harbor Maintenance Project, $80,000 for the Beaufort Harbor Maintenance Project, $129,000 for the Bogue Banks Shore Protection Study, and $80,000 for the Newport River Navigation Channel Project. Effective July 1, 2004.
Intro. by Thomas.
Ref. to Appropriations APPROP

S 1364. PASSENGER VEHICLE TOWERS TO KEEP RIGHT. *TO REQUIRE PASSENGER VEHICLES TOWING OTHER VEHICLES TO KEEP RIGHT.* Enacts new GS 20-147.1 as title indicates. Effective Dec. 1, 2004.
Intro. by Dannelly.
Held as Filed GS 20

S 1365. STATE GRANTEES DISCLOSE. *TO IMPROVE THE DISCLOSURE OF EXPENDITURES BY ENTITIES RECEIVING STATE FUNDS, AND TO REQUIRE DISCLOSURE OF WHEN MEMBERS OF THE GENERAL ASSEMBLY OR THE MEMBERS OF THEIR IMMEDIATE FAMILY SERVE AS OFFICERS OR DIRECTORS OF ENTITIES RECEIVING STATE FUNDS.* Enacts new GS 143-6.1(b1) and (d1) as title indicates. Requires that grantee receiving $15,000 or less in state funds file an annual statement of receipts and expenditures of the state funds. Further provides that grantee's failure to disclose required affiliation with General Assembly shall void grant and require repayment of funds disbursed. Makes conforming changes.
Intro. by Shubert.
Held as Filed GS 143

S 1366. STATE RETIREE DISCLOSURES/HEALTH BENEFIT LIAB. *ADOPTING THE REPORTING REQUIREMENTS OF THE UNIFORM MANAGEMENT OF PUBLIC EMPLOYEE RETIREMENT SYSTEMS ACT FOR ALL RETIREMENT SYSTEMS MANAGED BY THE STATE TREASURER, TO REPEAL THE CHARTER OF THE GOLDEN L.E.A.F. (LONG-TERM ECONOMIC ADVANCEMENT FOUNDATION), INC., AND TO INITIALLY FUND THE STATE'S LIABILITY FOR STATE RETIREES HEALTH INSURANCE BENEFITS WITH THE ASSETS OF THE GOLDEN L.E.A.F., INC., FIFTY PERCENT OF THE ANNUAL PAYMENT TO THE STATE UNDER THE TOBACCO MASTER SETTLEMENT AGREEMENT AND UNSPENT FUNDS REMAINING AT THE END OF THE 2004-2005 FISCAL YEAR.* Enacts new Ch. 147, Art. 6D, GS 135-40.15 and GS 143-16.4(a3), and amends SL 1999-2, Sec. 6(1), as title indicates. Effective July 1, 2004.
Intro. by Shubert.
Held as Filed GS 143, 147

S 1367. FOOD BANKS FUNDS (=H 1685). *TO APPROPRIATE FUNDS FOR THE FOOD BANKS IN NORTH CAROLINA.* Identical to H 1685, introduced 5/27/04.
Intro. by Dannelly.
Ref. to Appropriations APPROP

S 1368. PROSECUTORIAL DISTRICT MONITORING/FUNDS. *TO ESTABLISH PROSECUTORIAL DISTRICT MONITORING COMMITTEES TO INVESTIGATE CLAIMS OF PROSECUTORIAL OR INVESTIGATIVE MISCONDUCT AND TO APPROPRIATE FUNDS FOR THE ESTABLISHMENT OF THOSE COMMITTEES.* Enacts new GS 7A-69.2 as title indicates. Each committee to consist of 5 practicing lawyers from the district, each member to be appointed by a different official as specificied in the act. Enacts new GS 7A-409.1(c1) directing the State Judicial Council to establish uniform procedures to guide the committees. Appropriates $500,000 from General Fund to Judicial Dep't for 2004-05 to establish the committees.
Intro. by Dannelly.
Ref. to Appropriations GS 7A, APPROP

S 1369. SAFE TRANSPORTATION FOR SCHOOL STUDENTS. *TO ENSURE THE SAFEST TRANSPORTATION POSSIBLE FOR NORTH CAROLINA PUBLIC SCHOOL STUDENTS INVOLVED IN SCHOOL-SPONSORED TRAVEL.* Enacts new GS 115C-247.1, requiring the Dep't of Transportation to establish a system of certifying privately owned motor coach companies that seek to contract with local school systems and providing that systems may only contract with certified companies. Certification process shall include on-site inspection of companies and confirmation of the companies' compliance with federal and state transportation and motor vehicle laws
Intro. by Smith.
Held as Filed GS 115C

S 1370. GOLDSBORO SURPLUS LOT DISPOSITION. *TO CHANGE THE PROCEDURE FOR DISPOSAL OF SURPLUS STANDARD AND SUBSTANDARD LOTS BY THE CITY OF GOLDSBORO.* Sets procedures for the sale of surplus real property by the City of Goldsboro, which include the provision of notice to adjacent property owners. Effective July 1, 2004.
Intro. by Kerr.
Ref. to St. Gov. WAYNE

S 1371. DISTRICT 26 FUNDS. *TO APPROPRIATE FUNDS FOR EIGHT ADA POSITIONS IN PROSECUTORIAL DISTRICT 26 AND TO CONTINUE THE YOUTH DRUG TREATMENT COURT IN DISTRICT COURT DISTRICT 26, AND TO DIRECT THE ADMINISTRATIVE OFFICE OF THE COURTS TO DEVELOP A PLAN FOR THE CONTINUED FUNDING OF DRUG TREATMENT COURTS THAT ARE CURRENTLY FUNDED BY GRANTS FROM NON-STATE SOURCES.* Appropriates $357,472 for 2004-2005 from General Fund to Judicial Dep't as title indicates. Effective July 1, 2004.
Intro. by Clodfelter.
Ref. to Appropriations APPROP

S 1372. LOCAL SCHOOL CONSTRUCTION FINANCING STUDY. *TO ESTABLISH THE LOCAL SCHOOL CONSTRUCTION FINANCING STUDY COMMISSION.* Establishes 18-member Comm'n as title indicates, including one member appointed by the Governor, eight members appointed by the Pres. Pro Tem. and eight by the Speaker, and the State Treasurer or designee. Requires that Comm'n examine the present system of local financing for school facilities and alternatives for financing local school construction and repair, including public-

private partnerships and private and commercial financing arrangements. Requires that final Comm'n report be submitted to 2006 Regular Session of the 2005 General Assembly no later than March 31, 2006. Appropriates $200,000 for 2004-2005 from the General Fund to the General Assembly for Comm'n expenses. Effective July 1, 2004.
Intro. by Clodfelter.
Ref. to Rules STUDY, APPROP

S 1373. WATER CONSERVATION IN GOVERNMENT FACILITIES. *TO AUTHORIZE GOVERNMENTAL UNITS TO ENTER INTO GUARANTEED WATER SAVINGS CONTRACTS THAT PROVIDE FOR THE INSTALLATION OF WATER CONSERVATION MEASURES IN EXISTING FACILITIES, TO AUTHORIZE THE FUNDING OF THESE CONTRACTS IN THE SAME MANNER AS GUARANTEED ENERGY SAVINGS CONTRACTS, TO RAISE THE CAP FOR FINANCING CONTRACTS FOR ENERGY AND WATER CONSERVATION MEASURES, TO EXPAND THE STATE'S ENERGY POLICY AND LIFE-CYCLE COST ANALYSIS TO INCLUDE WATER CONSERVATION, AND TO MAKE CONFORMING CHANGES.* Amends GS Ch. 143 to make Part 2, Art. 3B, applicable to a "guaranteed water savings contract," defined as a contract for the evaluation, recommendation, or implementation of water conservation measures, including the design and installation of equipment or the repair or replacement of existing equipment, in which all payments, except obligations on termination of the contract before its expiration, are to be made over time, and in which water savings are guaranteed to exceed costs. Defines "water conservation measure" to mean facility alteration, training, or services related to the operation of the facility, when the alteration, training, or services provide anticipated water savings. Defines "water savings" to mean a measured reduction in water use costs or operating costs created from the implementation of one or more water conservation measures when compared with an established baseline of previous water use costs or operating costs developed by the State Energy Office of the Dep't of Administration. Water savings includes savings in sewer usage. Makes conforming changes to Art. 8 of GS Ch. 142, GS 115C-47, GS 133-4.1, GS 143-120(e), and GS 143-129.4. Makes GS 160A-20(h) applicable to local school administrative units and community colleges for purposes of financing water conservation measures. Amends GS Ch. 143 to make Part 1, Art. 3B, applicable to water conservation practices and water-consumption analysis. Effective July 1, 2004.
Intro. by Clodfelter.
Ref. to Finance GS 115C, 133, 142, 143, 160A

S 1374. ERC AIR QUALITY/TRANSPORTATION STUDIES. *TO DIRECT THE ENVIRONMENTAL REVIEW COMMISSION TO STUDY WHETHER THE HIGHWAY USE TAX SHOULD BE BASED ON FUEL EFFICIENCY, WHETHER THE VEHICLE REGISTRATION RENEWAL FEE SHOULD BE BASED ON VEHICLE MILES TRAVELED, AND WHETHER FUNDS GENERATED FROM THESE SOURCES OF REVENUE SHOULD BE USED TO SUPPORT AIR QUALITY AND TRANSPORTATION EFFICIENCY INITIATIVES.* As title indicates. Comm'n to report to the 2005 General Assembly.
Intro. by Clodfelter.
Ref. to Rules STUDY

S 1375. FUNDS TO TRACK GREENHOUSE GASES EMISSION (=H 1715). *TO APPROPRIATE FUNDS TO GLOBAL WARMING INITIATIVES, A NONPROFIT CORPORATION THAT ENCOURAGES INDUSTRIES TO REDUCE THEIR EMISSIONS OF GREENHOUSE GASES AND TO VOLUNTARILY REPORT THEIR EMISSIONS FOR PUBLICATION IN A REGISTRY TO BE PUBLISHED EVERY YEAR BY GLOBAL WARMING INITIATIVES.* Identical to H 1715, introduced 5/27/04.
Intro. by Clodfelter, Albertson.
Ref. to Appropriations APPROP

S 1376. LOW EMISSION VEHICLES/FUNDS. *TO ESTABLISH THE NORTH CAROLINA LOW EMISSION VEHICLES PROGRAM.* Enacts new GS 143-215.111(6) requiring that the Environmental Management Comm'n implement new program as title indicates, program to be functional equivalent of the low emission vehicle program established under California law. Further requires that Comm'n adopt rules to establish motor vehicle emissions standards equivalent to California's, to be applicable beginning with the 2008 model year and thereafter. Enacts new GS 20-54.2 effective Jan. 1, 2007, requiring that Division of Motor Vehicles refuse issuance of a certificate of title or registration and refuse to transfer registration of a vehicle that is not in compliance with emissions standards. Appropriates $10,000 for 2004-2005 from General Fund to Dep't of

Environment and Natural Resources to fund adoption of emissions standards, and $10,000 for 2004-2005 from General Fund to DOT to implement DMV enforcement of standards. Effective July 1, 2004.
Intro. by Clodfelter.
Ref. to Agriculture GS 20,143, APPROP

S 1377. STATE FIRE PROTECTION STUDY/FUNDS (=H 1648). *AUTHORIZING THE CREATION OF THE STATE FIRE PROTECTION STUDY COMMISSION AND APPROPRIATING FUNDS FOR THE COMMISSION.* Identical to H 1648, introduced 5/25/04.
Intro. by Kinnaird.
Ref. to Rules STUDY

S 1378. STUDY STATE PERSONNEL ACT/FUNDS (=H 1651). *TO ESTABLISH A LEGISLATIVE STUDY COMMISSION TO RECOMMEND CHANGES TO THE STATE PERSONNEL ACT AND APPROPRIATING FUNDS FOR THAT PURPOSE.* Identical to H 1651, introduced 5/25/04.
Intro. by Reeves.
Ref. to Rules STUDY, APPROP

S 1379. FUNDS FOR WAKEMED BIOMEDICAL ALLIANCE. *TO APPROPRIATE FUNDS TO WAKEMED HEALTH & HOSPITALS, INC., FOR PLANNING AND IMPLEMENTATION OF THE WAKEMED BIOMEDICAL ALLIANCE.* Appropriates $400,000 for 2004-2005 from General Fund as title indicates. Effective July 1, 2004.
Intro. by Reeves.
Ref. to Appropriations LOCAL APPROP

S 1380. CREATE JOBS/BUSINESS & TECH. TELECENTERS (=H 1664). *APPROPRIATING FUNDS TO THE E-NC AUTHORITY TO CREATE JOBS THROUGH THE DEVELOPMENT OF UP TO FOUR BUSINESS AND TECHNOLOGY TELECENTERS TO BE LOCATED IN THE RURAL AREAS OF THE STATE AND REQUIRING THE E-NC AUTHORITY TO REPORT TO THE GENERAL ASSEMBLY ON THE TECHNOLOGY EDUCATION AND PUBLIC ACCESS NEEDS OF CITIZENS AND BUSINESSES IN DISTRESSED URBAN AREAS OF THE STATE.* Identical to H 1664, introduced 5/26/04.
Intro. by Dalton.
Ref. to Appropriations APPROP

S 1381. CATAWBA LAW CHANGE LOCAL ACT-1. *RELATING TO THE COUNTY OF CATAWBA.* Blank bill.
Intro. by Allran.
Ref. to Rules CATAWBA

S 1382. RESAS/STAFF DEVELOPMENT FUNDS. *TO APPROPRIATE FUNDS FOR REGIONAL EDUCATION SERVICE ALLIANCES AND STAFF DEVELOPMENT.* Appropriates $250,000 for 2004-2005 from General Fund to State Aid to Local School Administrative Units to provide teacher-on-loan positions in the core curricular areas for Regional Education Service Alliances. Effective July 1, 2004.
Intro. by Garwood.
Ref. to Appropriations APPROP

S 1383. 4-H SPECIAL REGISTRATION PLATE (=H 1716). *TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE A 4-H SPECIAL REGISTRATION PLATE.* Identical to H 1716, introduced 5/27/04.
Intro. by Albertson, Sloan.
Ref. to Finance GS 20

S 1384. AMEND BARBERING LAWS/INCREASE FEES (=H 1622). *AMENDING THE LAWS REGULATING THE PRACTICE OF BARBERING, AUTHORIZING THE STATE BOARD OF BARBER EXAMINERS TO ASSESS CIVIL PENALTIES FOR VIOLATIONS OF THE LAWS OR RULES REGULATING THE PRACTICE OF BARBERING, AND INCREASING FEES.* Identical to H 1622, introduced 5/24/04.
Intro. by Albertson.
Ref. to Finance GS 86A

S 1385. OFFICE OF WOMEN'S HEALTH FUNDS. *TO APPROPRIATE FUNDS TO SUPPORT THE OFFICE OF WOMEN'S HEALTH.* Appropriates $100,000 for 2004-2005 from General Fund to Dep't of Health & Human Services as title indicates. Effective July 1, 2004.
Intro. by Dorsett, Forrester, Lucas.
Ref. to Appropriations APPROP

S 1386. CHARTER SCHOOL GRANTS/MATCHING FUNDS. *TO PROVIDE FUNDS TO MATCH FEDERAL FUNDS RECEIVED BY THE STATE UNDER THE STATE CHARTER SCHOOL FACILITIES INCENTIVE GRANTS PROGRAM.* Enacts new GS 115C-238.29L authorizing State Board of Education to use up to $1 million of the funds appropriated for State Aid to Local School Administration Units as title indicates. Effective July 1, 2004.
Intro. by Foxx.
Ref. to Appropriations GS 115C

S 1387. PROOF OF LEGAL STATUS REQUIRED/SOC. SERVICES. *REQUIRING ALIENS SEEKING PUBLIC SOCIAL SERVICES IN THIS STATE TO SHOW PROOF OF THEIR LEGAL STATUS.* Creates new GS 108A-25.1A to prohibit a person from receiving public social services until it is verified that he or she is either a citizen of the US or a qualified alien as defined in the Personal Responsibility and Work Opportunity Reconciliation Act, Pub. L. 104-193.
Intro. by Foxx.
Held as Filed GS 108A

HOUSE BILLS

H 1684. VANCE FOX SEASONS. *TO ESTABLISH SEASONS FOR HUNTING AND TRAPPING FOXES IN VANCE COUNTY.* Amends SL 1993, Ch. 208, Section 1, 2, and 9 by adding Vance to the list of counties as title indicates. Effective Oct. 1, 2004.
Intro. by Crawford, Fox.
Ref. to Wildlife Resources VANCE

H 1685. FOOD BANK FUNDS. *TO APPROPRIATE FUNDS FOR THE FOOD BANKS IN NORTH CAROLINA.* Appropriates $1.5 million for 2004-2005 from General Fund to Dep't of Health & Human Services for State Nutrition Assistance Program, and $500,000 for 2004-2005 from General Fund to DHHS, funds to be allocated equally among food banks identified. Effective July 1, 2004.
Intro. by Earle.
Ref. to Appropriations APPROP

H 1686. DAVIE COMM. COLL. CAMPUS/FUNDS. *TO APPROPRIATE FUNDS FOR THE DAVIE COUNTY CAMPUS OF THE DAVIDSON COUNTY COMMUNITY COLLEGE.* Appropriates $217,500 for 2004-2005 from General Fund to Dep't of Community Colleges System Office as title indicates, funds to be used to expand the allied health, early childhood, and college transfer programs. Effective July 1, 2004.
Intro. by Howard.
Ref. to Appropriations APPROP

H 1687. CABARRUS BOARD OF EQUALIZATION AND REVIEW (=S 1315). *TO AUTHORIZE THE APPOINTMENT OF A SPECIAL BOARD OF EQUALIZATION AND REVIEW FOR CABARRUS COUNTY.* Identical to S 1315, introduced 5/25/04.
Intro. by L. Johnson, Barnhart.
Ref. to Loc. Gov. I CABARRUS

H 1688. CONCORD ANNEXATION EFFECTIVE DATE. *TO ALLOW A DEFERRED EFFECTIVE DATE FOR CERTAIN VOLUNTARY ANNEXATIONS OF THE CITY OF CONCORD.* Permits Concord to make annexation ordinances applicable to described properties, adopted pursuant to Part 1, Art. 4A, GS Ch. 160A, effective on any specified date within 24 months from the date of passage of the annexation ordinance. Effective June 30, 2004.
Intro. by Barnhart.
Ref. to Finance CABARRUS

H 1689. UNC-CHARLOTTE BIOINFO. CTR./TUITION REMISSION. *TO APPROPRIATE FUNDS TO THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA TO FUND THE CENTER FOR BIOINFORMATICS AT THE UNIVERSITY OF NORTH CAROLINA AT CHARLOTTE AND TO PROVIDE THAT THE FUNDS FOR THE GRADUATE TUITION REMISSION SHALL BE DEDUCTED FROM OVERHEAD RECEIPTS AND THE GENERAL FUND APPROPRIATION TO THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA REDUCED ACCORDINGLY.* Appropriates $35 million for 2004-2005 from General Fund to Board of Governors of UNC and requires an equal reduction in the General Fund appropriation to the Board as title indicates. Effective July 1, 2004.
Intro. by Barnhart.
Ref. to Appropriations APPROP

H 1690. 10 DAYS BONUS LEAVE CERTAIN PERSONNEL. *PROVIDING 10 DAYS BONUS LEAVE TO THOSE STATE PERSONNEL WHO DID NOT RECEIVE SPECIAL ANNUAL BONUS LEAVE UNDER SECTION 30.12B OF S.L. 2003-284.* Provides one-time additional 10 days of annual leave, credited on July 1, 2004, to assistant clerks of court, deputy clerks of court, magistrates, and Highway Patrol members who are eligible to earn annual leave but did not receive special bonus leave under Section 30.12B of SL 2003-284. Part-time permanent employees to receive pro rata amount of 10 days.
Intro. by Allred.
Ref. to Rules UNCODIFIED

H 1691. FIRE AND RESCUE PENSION INCREASE (=S 1046). *TO INCREASE THE MONTHLY PENSION FOR MEMBERS OF THE FIREMEN'S AND RESCUE SQUAD WORKERS' PENSION FUND BY FIVE DOLLARS.* Identical to S 1046, introduced 5/11/04.
Intro. by Allred.
Ref. to Pensions GS 58

H 1692. HISTORIC VEHICLES-EXEMPT FROM INSPECTION. *TO EXEMPT HISTORIC VEHICLES FROM THE SAFETY INSPECTION PROGRAM.* Amends GS 20-183.2(a) as title indicates by exempting vehicles more than 35 model years old.
Intro. by Allred.
Ref. to Rules GS 20

H 1693. AUTHORIZING CONSIDERATION OF BILL TO AMEND EMPLOYMENT SECURITY LAWS. *AUTHORIZING THE 2003 GENERAL ASSEMBLY, REGULAR SESSION 2004, TO CONSIDER "A BILL TO BE ENTITLED AN ACT AMENDING THE EMPLOYMENT SECURITY LAWS OF NORTH CAROLINA TO EXCLUDE CERTAIN PRIVATE IN-HOME NURSING CARE."* As title indicates.
Intro. by Allred.
Ref. to Health JOINT RES

H 1694. ESC EXEMPTION FOR DOMESTIC/NURSING CARE. *AMENDING THE EMPLOYMENT SECURITY LAWS OF NORTH CAROLINA TO EXCLUDE CERTAIN PRIVATE IN-HOME NURSING CARE.* Amends GS 96-8(5)o and GS 96-8(6)h to delete from definition of "employer" and "employment" person who employs domestic service in a private home. Amends GS 96-8(6)a to provide that nursing care and domestic services provided in an elderly or disabled person's home shall not be subject to the payment of unemployment taxes unless person providing service opts to pay those taxes. Makes conforming changes. Effective July 1, 2004.
Intro. by Allred.
Ref. to Rules GS 96

H 1695. KERNERSVILLE ANNEXATION REFERENDA. *TO RESTORE THE PRE-1959 ANNEXATION LAW BY REQUIRING REFERENDA ON ANNEXATIONS IN THE TOWN OF KERNERSVILLE IF REQUESTED BY PETITION OR BY THE GOVERNING BOARD OF THE TOWN.* Adds new Part 1, Art. 4A, GS Ch.160A, applicable to Town of Kernersville only, to create specific procedure for adoption of ordinance annexing territory, which includes notice, public hearing, and vote of residents of area proposed for annexation upon petition of 5% of residents. Establishes county board of elections requirements for publication, registration of voters, and wording of ballot.
Intro. by Decker.
Ref. to Finance FORSYTH

H 1696. FUNDS/EQUIPMENT FOR GROVE ARCADE ARTISANS. *TO APPROPRIATE FUNDS TO PURCHASE EQUIPMENT FOR ARTISANS AT THE GROVE ARCADE ART SPACE.* Appropriates $50,000 for 2004-2005 from General Fund as title indicates. Effective July 1, 2004.
Intro. by Fisher, Goforth, Sherrill.
Ref. to Appropriations APPROP

H 1697. HEALTH ADVENTURE FUNDS. *TO APPROPRIATE FUNDS TO THE HEALTH ADVENTURE TO BE USED TO PLAN A NEW FACILITY.* Appropriates $50,000 for 2004-2005 from General Fund as title indicates. Effective July 1, 2004.
Intro. by Fisher, Goforth, Sherrill.
Ref. to Appropriations APPROP

H 1698. AMEND PITT COUNTY HUNTING LAW. *TO AMEND THE LAW REGULATING HUNTING WITH DOGS IN PITT COUNTY.* Amends SL 2002-142, Sec. 5, as title indicates, deleting prohibition against allowing dogs to run on posted land without land-owner's permission.
Intro. by Warren (by request).
Ref. to Wildlife Resources PITT

H 1699. UNC NONAPPROPRIATED CAPITAL PROJECTS. *TO AUTHORIZE THE CONSTRUCTION AND THE FINANCING, WITHOUT APPROPRIATIONS FROM THE GENERAL FUND, OF CERTAIN CAPITAL IMPROVEMENTS PROJECTS OF THE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA.* As title indicates, authorizes the following capital improvement projects and their respective costs to be financed as authorized by sec. 1, including by revenue bonds, and by special obligation bonds as authorized by sec. 6:

-ASU Central Dining Facility Supp.	$2,000,000
-ECU Residence Halls	3,250,000
-NC A&T Parking Deck	6,796,750
-NCSU	
Dining Hall Renovations	3,000,000
Residence Hall Renovations	4,000,000
Student Commons Improvements	3,500,000
Renovations to Reynolds Coliseum	1,500,000
-UNC-Asheville Residence Hall	12,700,000
-UNC-CH	
Carmichael Fields 3 & 4	1,200,000
Student Family Housing	19,000,000
Residence Hall Renovations	24,000,000
Residence Hall Phase II Supplement	20,500,000
Parking Facilities	17,000,000
-UNC-Charlotte	
Parking Deck Supplement	4,200,000
Greek Village Housing	21,500,000
-UNC-Greensboro	
Parking Deck Addition	8,000,000
Residence Hall Renovations	4,500,000
Dining Hall Renovations	1,500,000

As title indicates, authorizes the following capital improvement projects and their respective costs to be financed as authorized by Sec. 1, and by special obligation bonds as authorized by Sec. 6:

-ASU Steam Line Improvements	2,000,000
-ECU	
Administrative Offices	2,500,000
Stadium Maintenance Repairs-Phase III	2,600,000
-UNC-CH	
Ambulatory Care Renovations	1,800,000
Arthritis Research Center	1,800,000
ITS Building-Supplement	4,000,000

Institute for Advanced Materials, Nanoscience & Nanotechnology	3,800,000
Educational Foundation Office Bldg.	3,000,000
Athletic Facilities Improvements	1,100,000
School of Medicine Research Facilities-Addition	33,000,000
The Daniels Bldg. Renovations	7,000,000
Major Infrastructure Improvements	68,436,150
Campus Fiber Optic Wiring	8,000,000
-UNC-Charlotte Student Union Bldg. Supp.	6,000,000

As title indicates, authorizes the following projects and authorizes campuses to accept gifts for cost associated with completing the projects:

-NCCU Biomanufacturing Research Institute & Training Enterprise	17,800,000
-NCSU Biomanufacturing Training & Education Center	33,500,000
-UNC-CH Addition to WUNC Radio	1,000,000

Provides that upon request, the Director of the Budget may increase or decrease the cost or method of funding of any projects. Further authorizes the Board of Governors to issue Special Obligation Bonds to pay for certain projects, maximum principal amount of bonds to be issued shall not exceed project costs plus $20 million for related costs.
Intro. by G. Allen.
Ref. to Appropriations APPROP

H 1700. DURHAM VEHICLE TAX SUNSET REPEALED/USES. *TO REPEAL THE SUNSET ON THE DURHAM CITY ADDITIONAL MUNICIPAL VEHICLE TAX AND CONCERNING THE PURPOSES FOR WHICH THOSE FUNDS MAY BE EXPENDED.* Amends SL 2003-329, Sections 3 and 4, as title indicates. Deletes provision requiring that proceeds of tax of over $5 be placed into separate fund for public transportation.
Intro. by Miller.
Ref. to Finance DURHAM

H 1701. ONSHORE OPPORTUNITIES. *TO ENHANCE CERTAIN BILL LEE ACT TAX INCENTIVES TO CREATE ONSHORE OPPORTUNITIES FOR JOB CREATION IN KEY INDUSTRIES AND TO LESSEN THE LIKELIHOOD OF JOB LOSSES TO OVERSEAS LOCATIONS.* As title indicates, amends GS 105-129.2(3) to add custom computer programming services. Further amends GS 105-129.4(a)(4) and (5) by adding development zones. Effective Jan. 1, 2004.
Intro. by Tolson, Walend.
Ref. to Finance GS 105

H 1702. LRC STUDY/NATUROPATHIC PRACT'R. LIC./FUNDS (=S 1268). *AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY LICENSING PRACTITIONERS OF NATUROPATHY IN NORTH CAROLINA.* Identical to S 1268, introduced 5/24/04.
Intro. by Hill.
Ref. to Rules STUDY

H 1703. AVERY/HERITAGE PARK AUTHORITY. *CREATING THE HERITAGE PARK AUTHORITY IN AVERY COUNTY.* As title indicates, nine-member Authority to be appointed by Avery County Board of Comm'rs.
Intro. by Frye.
Ref. to Loc. Gov. II AVERY

H 1704. ROANOKE-CHOWAN DRUG TASK FORCE FUNDS (=S 1156). *TO APPROPRIATE FUNDS TO THE DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY FOR THE ROANOKE-CHOWAN DRUG TASK FORCE.* Identical to S 1156, introduced 5/18/04.
Intro. by Hunter.
Ref. to Appropriations APPROP

H 1705. EXEMPT BIODIESEL FROM MOTOR FUELS TAXES. *TO EXEMPT BIODIESEL FROM MOTOR FUELS TAXES.* Amends GS 105-449.81 and GS 119-18(a) as title indicates. Effective July 1, 2004, and expires July 1, 2009.
Intro. by Hackney, Tolson.
Ref. to Finance GS 105, 119

H 1706. STUDY ADEQUACY OF LOW-WEALTH SCHOOL FUNDS. *DIRECTING THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO STUDY THE ISSUE OF LOW-WEALTH SCHOOL FUNDING.* Directs Joint Legislative Education Oversight Committee as title indicates. Committee must report to the 2005 General Assembly. Appropriates $50,000 for 2004-2005 from General Fund to General Assembly to implement act. Effective July 1, 2004.
Intro. by McLawhorn.
Ref. to Rules STUDY, APPROP

H 1707. PURCHASE MILITARY SERVICE/LOCAL RETIREMENT. *TO REINSTATE THE PURCHASE OF SERVICE CREDIT FOR CERTAIN PERIODS OF ACTIVE MILITARY DUTY BY MEMBERS OF THE LOCAL GOVERNMENTAL RETIREMENT SYSTEM.* Enacts new GS 128-26(w) as title indicates, authorizing members to purchase service credit upon completion of 10 years of prior and current membership service. Sets forth method for calculating cost of service credit and provides that sec. shall apply equally to retired members who attained 10 years of service prior to retirement.
Intro. by Glazier, Eddins.
Ref. to Pensions GS 128

H 1708. FUNDS FOR SENIOR CENTER PILOT PROGRAM. *TO APPROPRIATE FUNDS FOR A PILOT PROGRAM IN CUMBERLAND COUNTY TO MERGE AND COORDINATE EXISTING SENIOR CITIZEN INFORMATION SERVICES INTO ONE SENIOR SERVICES INFORMATION CENTER.* Appropriates $40,000 for 2004-2005 from General Fund to DHHS, Div'n on Aging, as title indicates. Effective July 1, 2004.
Intro. by Glazier.
Ref. to Appropriations APPROP

H 1709. TRADE JOBS FOR SUCCESS/FUNDS (=S 1344). *ESTABLISHING THE TRADE JOBS FOR SUCCESS INITIATIVE TO STIMULATE JOB GROWTH AND HIRING IN NORTH CAROLINA AND APPROPRIATING FUNDS FOR THAT PURPOSE.* Identical to S 1344, introduced 5/27/04.
Intro. by Barnhart, L. Johnson, Luebke.
Ref. to Appropriations GS 143B, APPROP

H 1710. MOUNT PLEASANT ANNEXATION (=S 1316). *TO ANNEX CERTAIN DESCRIBED TERRITORY TO THE TOWN OF MOUNT PLEASANT.* Identical to S 1316, introduced 5/25/04.
Intro. by Barnhart, L. Johnson.
Ref. to Finance CABARRUS

H 1711. LEO CREDITABLE SERVICE/WORKERS' COMPENSATION. *TO PROVIDE THAT CREDITABLE SERVICE FOR LAW ENFORCEMENT OFFICERS IN THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM SHALL INCLUDE PERIODS OF EMPLOYER-APPROVED LEAVES OF ABSENCE WHEN IN RECEIPT OF WORKERS' COMPENSATION BENEFITS AS A RESULT OF CERTAIN INJURIES INCURRED IN THE LINE OF DUTY.* Amends GS 128-26 to provide that creditable service at retirement shall include a period of up to one year of employer-approved leaves of absence when a member who is a law enforcement officer is in receipt of Workers' Compensation benefits as a result of injury incurred in the line of duty by another person's felonious criminal action with a deadly weapon.
Intro. by Glazier and Eddins.
Ref. to Pensions GS 128

H 1712. WILSON DEER HUNTING REGULATION. *TO REGULATE DEER HUNTING ON THE LAND OF ANOTHER IN WILSON COUNTY.* Makes it unlawful to hunt deer on the land of another without current written

permission from the owner or lessee of land, first violation punishable as a Class 3 misdemeanor and subsequent violations punishable as a Class 2 misdemeanor. Applicable to Wilson County only. Effective Oct. 1, 2004.
Intro. by Farmer-Butterfield, Tolson.
Ref. to Wildlife Resources WILSON

H 1713. TROY-POLICE ALL-TERRAIN VEHICLES. *TO PERMIT LAW ENFORCEMENT OFFICERS IN TROY TO OPERATE UNREGISTERED ALL-TERRAIN VEHICLES ON HIGHWAYS.* Amends GS 20-114.2 as title indicates.
Intro. by Gibson.
Ref. to Loc. Gov. II MONTGOMERY

H 1714. MONROE CLAIMS SETTLEMENT (=H 1588). *TO AMEND THE CHARTER OF THE CITY OF MONROE TO ALLOW THE CITY COUNCIL TO DELEGATE TO THE CITY MANAGER THE POWER TO SETTLE CERTAIN CLAIMS AGAINST THE CITY.* Identical to H 1588, introduced 5/20/04.
Intro. by Gibson.
Ref. to Loc. Gov. II UNION

H 1715. FUNDS TO TRACK GREENHOUSE GASES EMISSIONS (=S 1349). *TO APPROPRIATE FUNDS TO GLOBAL WARMING INITIATIVES, A NONPROFIT CORPORATION THAT ENCOURAGES INDUSTRIES TO REDUCE THEIR EMISSIONS OF GREENHOUSE GASES AND TO VOLUNTARILY REPORT THEIR EMISSIONS FOR PUBLICATION IN A REGISTRY TO BE PUBLISHED EVERY YEAR BY GLOBAL WARMING INITIATIVES.* Identical to S 1349, introduced 5/27/04.
Intro. by Gibson, Tolson.
Ref. to Appropriations APPROP

H 1716. 4-H SPECIAL REGISTRATION PLATE. *TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE A 4-H SPECIAL REGISTRATION PLATE.* Enacts new GS 20-79.4(b)(15b) as title indicates; requires 300 applications before issuance of plate.
Intro. by Gibson, Brubaker.
Ref. to Finance GS 20

H 1717. HOMES4NC SPECIAL LICENSE PLATE. *TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE A "HOMES4NC" SPECIAL REGISTRATION PLATE.* Enacts new GS 20-79.4(b)(18a) as title indicates; requires 300 applications before issuance of plate.
Intro. by Gibson.
Ref. to Finance GS 20

H 1718. SPORT FISHING SPECIAL REGISTRATION PLATE. *TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE SPORT FISHING SPECIAL REGISTRATION PLATES.* Enacts new GS 20-79.4(b)(41a) as title indicates.
Intro. by Gibson.
Ref. to Finance GS 20

H 1719. FIRST IN FORESTRY PLATE DISTRIBUTION. *TO REDISTRIBUTE THE FUNDS DERIVED FROM THE FIRST IN FORESTRY SPECIAL REGISTRATION PLATE.* Redistributes from the Natural Heritage Trust Fund to the Collegiate and Cultural Attraction Plate Account (Fund) the special registration fee imposed for the First in Forestry plate. Amends GS 20-81.12 to direct that 300 or more applications must be received before the First in Forestry plate can be developed. Directs one-half of the money in the Fund derived from the sale of First in Forestry plates be transferred to the Division of Forest Resources for a state forests and forestry education program and half transferred to the Forest Education and Conservation Foundation for its programs.
Intro. by Gibson.
Ref. to Finance GS 20

H 1720. DAUGHTERS OF AMERICAN REVOLUTION PLATE. *TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE A DAUGHTERS OF THE AMERICAN REVOLUTION SPECIAL REGISTRATION PLATE.* Enacts new GS 20-79.4(b)(11e) as title indicates.
Intro. by Gibson.
Ref. to Finance GS 20

H 1721. CURRITUCK OCCUPANCY TAX CHANGES. *TO CHANGE THE PURPOSES FOR WHICH THE ADDITIONAL ONE PERCENT OCCUPANCY TAX IN CURRITUCK COUNTY MAY BE USED.* As title indicates, amends SL 1987, Ch. 209, sec. 1(e) to provide that tax shall be used for historic restoration and cultural programs (was, operation of the Currituck Wildlife Museum).
Intro. by Owens.
Ref. to Loc. Gov. I CURRITUCK

H 1722. CURRITUCK ABC BOARD MEMBERSHIP INCREASED. *TO INCREASE THE MEMBERSHIP OF THE CURRITUCK ALCOHOLIC BEVERAGE CONTROL BOARD FROM THREE TO FIVE MEMBERS.* Amends GS 18B-700(a) as title indicates, applicable to Currituck County only.
Intro. by Owens.
Ref. to Loc. Gov. I CURRITUCK

H 1723. CHARTER SCHOOL RETIREMENT ELECTION. *TO AUTHORIZE EXISTING CHARTER SCHOOLS TO ELECT TO PARTICIPATE IN THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM AND THE NORTH CAROLINA TEACHERS' AND STATE EMPLOYEES' MAJOR MEDICAL PLAN.* Permits the board of directors of New Century High School in Chapel Hill and Hope Elementary School in Raleigh, both charter schools, to become participating employers in the Teachers' and State Employees' Retirement System and State Employees' Comprehensive Major Medical Plan within 30 days of the effective date of this act.
Intro. by Allred and Ross.
Ref. to Pensions GS 135

H 1724. HARNETT COUNTY SUBDIVISIONS. *RELATING TO THE DEFINITION OF SUBDIVISION IN HARNETT COUNTY.* Makes SL 1997-246 and SL 2001-50, as they amend GS 153A-335 and GS 160A-376, not applicable to Harnett County or municipalities in Harnett County.
Intro. by Lewis.
Ref. to Loc. Gov. I HARNETT

H 1725. REPEAL HARNETT COUNTY FOX HUNTING LAW. *TO REPEAL THE LAW REGULATING FOX HUNTING IN HARNETT COUNTY.* Amends SL 1977, Ch. 636, Sec. 4, as title indicates.
Intro. by Lewis.
Ref. to Wildlife Resources HARNETT

H 1726. WINSTON-SALEM CODE ENFORCEMENT. *AUTHORIZING THE CITY OF WINSTON-SALEM TO ORDER OWNERS OF RESIDENTIAL PROPERTY TO REPAIR RATHER THAN VACATE HOUSING TO MEET MINIMUM CODE STANDARDS.* Amends S.L. 2003-76 as title indicates.
Intro. by Parmon.
Ref. to Loc. Gov. II FORSYTH

H 1727. 2004 ESC OMNIBUS ACT. *MAKING OMNIBUS CHANGES TO THE EMPLOYMENT SECURITY LAWS OF NORTH CAROLINA AND APPROPRIATING REED ACT FUNDS.* Amends SL 2003-405, Sec. 2 (delaying reinstatement of the 20% unemployment insurance surtax), to repeal act for taxes imposed in 2006 (was, 2005) and thereafter. Sec. 2 of act imposes tax of 2% of unemployment tax contributions due for 2005 calendar year only, tax payable at the same time and manner as the contributions. Requires that tax be credited to the Worker Training Trust Fund and that interest or penalties collected be credited to the Special Employment Security Administration Fund. Amends GS 96-9(d)(2)d to require that unemployment tax amounts required to bring a nonprofit organization's account to 1% balance be billed as soon as practical and that payment will be due within 60 days from the date of mailing of the statement, effective August 1, 2004. Enacts new GS 96-8(6)k.20., to provide that "employment" does not include service performed by an individual who is an alien who has residence in a foreign country, has a valid J-1 visa, and is present in the state for a period of 6 months or less. Makes technical changes.
Intro. by Gibson.
Ref. to Finance GS 96

H 1728. LAKE ROYALE POLICE AUTHORITY. *TO AUTHORIZE THE LAKE ROYALE POLICE DEPARTMENT TO ENFORCE THE LAW ON THE WATERS OF LAKE ROYALE, TO COMPETE FOR GRANTS FOR THE*

PURCHASE OF LAW ENFORCEMENT EQUIPMENT, AND TO PURCHASE EQUIPMENT THROUGH THE DIVISION OF PURCHASE AND CONTRACT. As title indicates.
Intro. by L. Allen.
Ref. to Loc. Gov. II FRANKLIN, NASH

H 1729. FUNDS FOR ALS ASSOCIATION. *TO APPROPRIATE FUNDS TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES FOR ALLOCATION TO THE ALS ASSOCIATION FOR CORE PROGRAMS, CLINICS, AND RESEARCH EFFORTS.* Appropriates $2,000,000 for 2004-2005 from General Fund as title indicates. Effective July 1, 2004.
Intro. by Lewis, Church, Howard, Crawford.
Ref. to Appropriations APPROP

H 1730. HOLDEN BEACH SEWER TREATMENT FEE. *TO ALLOW THE TOWN OF HOLDEN BEACH TO IMPOSE A SEWER TREATMENT FEE.* As title indicates.
Intro. by Stiller.
Ref. to Finance BRUNSWICK

H 1731. LELAND SATELLITE ANNEXATION. *CONCERNING VOLUNTARY SATELLITE ANNEXATIONS BY THE TOWN OF LELAND.* Amends SL 2002-121 to make GS 160A-58.1(b)(5) inapplicable to the town of Leland.
Intro. by Stiller.
Ref. to Finance BRUNSWICK

H 1732. SOUTHPORT WARD BOUNDARIES. *TO CLARIFY THE WARD BOUNDARIES OF THE CITY OF SOUTHPORT TO REFLECT RECENT ANNEXATIONS.* As title indicates.
Intro. by Stiller.
Ref. to Finance BRUNSWICK

H 1733. SOUTHPORT UTILITY UNDERGROUNDING. *TO ALLOW THE CITY OF SOUTHPORT TO ASSESS BENEFITED PROPERTY FOR UNDERGROUNDING UTILITIES.* Amends the charter of the city of Southport, SL 1983-659, to authorize the city to make special assessments against benefited property within the corporate limits for placing utility lines underground.
Intro. by Stiller.
Ref. to Finance BRUNSWICK

H 1734. OCEAN ISLE CANAL DREDGING. *TO ALLOW THE TOWN OF OCEAN ISLE TO IMPOSE A CANAL DREDGING FEE.* As title indicates. Fee must be imposed on owners of any property that could benefit from water access through canal system and may be imposed on all property owners. Fees may not exceed the cost of providing the service.
Intro. by Stiller.
Ref. to Finance BRUNSWICK

H 1735. CASINO NIGHTS BY NONPROFIT ORGANIZATIONS. *TO AUTHORIZE NONPROFIT ORGANIZATIONS TO OPERATE "CASINO NIGHTS" AND TO REQUIRE A FEE FOR AUDITING THE PROCEEDS.* Adds new GS 14-309.16 to permit nonprofit organization members or volunteers to manage, without remuneration and on behalf of the organization, a casino night where any of the following games are played: roulette, blackjack, poker, pull tabs, craps, chuck-a-luck, keno, or merchandise wheel of fortune. No single bet may exceed $10.00 and winnings are limited to noncash prizes. No less than 90% of the net proceeds of a casino night must be used by the nonprofit organization for charitable, religious, educational, civic, or other nonprofit purposes, and a nonprofit organization is limited to four casino nights per year. Casino nights must not be conducted in conjunction with bingo, and no person under 18 years of age may play in, or participate in the conducting of, a casino night. Organization must pay a $10.00 fee to Dep't of Revenue for each casino night to cover costs of auditing the use of net proceeds.
Intro. by Owens.
Ref. to Rules GS 14

H 1736. INCREASE FUNDING/FIRE & RESCUE PENSION. *TO INCREASE FUNDING OF THE FIRE AND RESCUE SQUAD WORKER'S PENSION FUND, AND TO AUTHORIZE THE FIRE DEPARTMENTS AND RESCUE SQUADS SERVED TO FUND THE INCREASE WITH MONEY RAISED THROUGH FUND-RAISING*

EVENTS OR BY OTHER MEANS. Amends numerous sections in Article 86 of GS Ch. 58 as title indicates. Raises monthly payment to retirees under the fund from $158 to $166, and raises monthly contribution into fund by fire and rescue squad workers, as well as the fees required to purchase credit for past service, from $10 per month to $20. Allows funds derived from fund-raisers to pay all or part of the monthly contribution. Effective Jan. 1, 2005.
Intro. by Cole.
Ref. to Pensions GS 58

H 1737. WINSTON-SALEM STRUCTURES. *CHANGING THE ONE-YEAR WAITING PERIOD FOR DWELLINGS VACATED AND CLOSED TO SIX MONTHS IN THE CITY OF WINSTON-SALEM CONCERNING REPAIR, DEMOLITION, AND REMOVAL.* Amends GS 160A-443(5a) as title indicates.
Intro. by Womble, McGee, Parmon.
Ref. to Loc. Gov. II FORSYTH

H 1738. FUNDS/PROMOTE TOURISM & ECONOMIC DEVELOPMENT (=S 1121). *TO APPROPRIATE FUNDS FOR THE DEVELOPMENT OF THE DR. MARTIN LUTHER KING, JR. MEMORIAL PARK IN CUMBERLAND COUNTY, WHICH WILL STIMULATE TOURISM AND ECONOMIC DEVELOPMENT.* Identical to S 1121, introduced 5/17/04.
Intro. by McAllister, Lucas.
Ref. to Appropriations LOCAL APPROP

H 1739. CREDIT FOR SKILLED NURSING FACILITY FEE. *TO PROVIDE A REFUNDABLE INDIVIDUAL INCOME TAX CREDIT TO OFFSET THE SKILLED NURSING FACILITY FEE IMPOSED IN 2003.* Enacts new GS 105-151.29 establishing an income tax credit for taxpayer who resides for part of taxable year in a skilled nursing facility, credit equal to $9 multiplied by number of days taxpayer resided in facility, but no more than amount paid by taxpayer for facility services. Effective Jan. 1, 2005.
Intro. by Allred.
Ref. to Finance GS 105

H 1740. TELECONFERENCING LAB ANALYST TESTIMONY/FUNDS. *TO APPROPRIATE FUNDS FOR THE IMPLEMENTATION OF A PILOT PROGRAM FOR THE PROVISION OF COURTROOM TESTIMONY OF LAB ANALYSTS BY VIDEOCONFERENCE AND TO DIRECT THE JUDICIAL DEPARTMENT AND THE DEPARTMENT OF JUSTICE TO STUDY THE FEASIBILITY OF A STATEWIDE PROGRAM.* As title indicates. Appropriates $118,870 for 2004-2005 from General Fund to Judicial Dep't to conduct pilot program in District Court District 27B. Appropriates $48,450 for 2004-2005 from General Fund to Dep't of Justice (DOJ) for equipment and set-up charges necessary to provide videoconference capabilities. Requires that Judicial Dep't, in consultation with DOJ, study feasibility of statewide implementation of program and report findings to various General Assembly committees by Jan. 1, 2005. Effective July 1, 2004.
Intro. by Moore.
Ref. to Appropriations APPROP

H 1741. FUNDS/WAKEMED EMERGENCY SERVICES INSTITUTE (=S 1247). *TO APPROPRIATE FUNDS TO WAKEMED HEALTH & HOSPITALS, A NONPROFIT CORPORATION, TO ASSIGN IN THE FORMATION OF THE EMERGENCY SERVICES INSTITUTE, A HOSPITAL-BASED, MEDICAL EMERGENCY PREPAREDNESS AND RESPONSE INSTITUTE.* Identical to S 1247, introduced 5/24/04.
Intro. by Miner.
Ref. to Appropriations LOCAL APPROP

H 1742. FUNDS FOR WAKEMED BIOMEDICAL ALLIANCE (=S 1379). *TO APPROPRIATE FUNDS TO WAKEMED HEALTH & HOSPITALS, INC., FOR PLANNING AND IMPLEMENTATION OF THE WAKEMED BIOMEDICAL ALLIANCE.* Identical to S 1379, introduced 5/27/04.
Intro. by Miner.
Ref. to Appropriations LOCAL APPROP

H 1743. CREDIT TO REVITALIZE CERTAIN MFG. SITES (=S 1345). *TO REVITALIZE TEXTILE AND FURNITURE MANUFACTURING COMMUNITIES PLAGUED BY ABANDONED BROWNFIELDS SITES BY GRANTING A TAX CREDIT TO REHABILITATE THE SITES.* Identical to S 1345, introduced 5/27/04.
Intro. by Barnhart, L. Johnson, Miner.
Ref. to Appropriations GS 105

H 1744. EXEMPT UNEMPLOYMENT BENEFITS. *TO EXEMPT UNEMPLOYMENT BENEFITS FROM INCOME TAX.* Amends GS 105-134.6(b)(11) as title indicates. Effective Jan. 1, 2004, and repealed Jan. 1, 2007.
Intro. by Wainwright.
Ref. to Finance GS 105

H 1745. STATE GOVERNMENT INTERN PAY INCREASE. *TO APPROPRIATE FUNDS TO THE NORTH CAROLINA INTERNSHIP COUNCIL IN THE DEPARTMENT OF ADMINISTRATION TO PROVIDE A PAY INCREASE TO STUDENT INTERNS.* Appropriates $37,500 for 2004-2005 from General Fund as title indicates. Provides for pay increase from $6.50 to $8.00 an hour. Effective July 1, 2004.
Intro. by Luebke.
Ref. to Appropriations APPROP

H 1746. ECONOMIC DEVELOPMENT - CONFLICT OF INTEREST. *TO PROHIBIT COMPANIES THAT CONSULT WITH THE STATE ON THE DEVELOPMENT OF ECONOMIC DEVELOPMENT INCENTIVE PROGRAMS FROM ADVISING BUSINESSES ON OBTAINING INCENTIVES UNDER THOSE PROGRAMS.* Enacts new GS 143B-437.07 as title indicates, applicable to person who advises state beginning Dec. 1, 2004. Appropriates $5,000 for 2004-2005 from General Fund to Dep't of Commerce to ensure compliance with new sec., effective July 1, 2004.
Intro. by Luebke.
Ref. to Rules GS 143B, APPROP

CALENDAR ACTION
May 27, 2004

NOTES
1. Amendments and committee substitutes adopted today are summarized in the following section of today's Daily Bulletin.
2. The dates on which previous amendments or committee substitutes were adopted are listed below bill numbers.
3. The action "Cal Pursuant Rule 36b" indicates that the bill has been reported by committee and is awaiting calendaring by the Rules Committee.
4. Enacted bills are indicated by #, failed bills by *.

PUBLIC BILLS

H1203 AMEND MOTOR FUEL MARKETING ACT.	S	WITHDRAWN FROM COMM
	S	RE-REF COM ON JUDICIARY II
04-29-03		
H1356 INCREASE FEES/QUALIFS. FOR DWI ASSESSMENTS.	S	REC FROM HOUSE
	S	REF TO HEALTH & HUMAN RESOURCES. IF FAV, RE-REF TO FINANCE
H1366 INVOLUNTARY COMMITMENT WARRANT CLARIFICATION.	H	PASSED 3RD READING
H1373 INCREASE PENALTY-TRANSIT OPERATOR ASSAULT.	H	PASSED 2ND & 3RD READING
05-25-04		
H1430 IRC UPDATE.	HA	REPTD FAV COM SUBSTITUTE
	H	CAL PURSUANT RULE 36(B)
05-27-04		
H1443 COMMERCE SERVICENTER.	HA	REPTD FAV COM SUBSTITUTE
	H	CAL PURSUANT RULE 36(B)
05-27-04		

H1444	JDIG - ENCOURAGE USE OF NC SMALL BUSINESSES.	HA REPTD FAV COM SUBSTITUTE H CAL PURSUANT RULE 36(B)
05-27-04		
H1448	NOTICE PERIOD FOR SALES AND USE TAX REFUNDS.	S REC FROM HOUSE S REF TO COM ON FINANCE
H1455	SBE STUDY ALP FUNDING.	S REC FROM HOUSE S REF TO COM ON EDUCATION/ HIGHER EDUCATION
H1465	ALLOW FAMILY BUSINESS TO LEASE FARMLAND.	S REC FROM HOUSE S REF TO COM ON FINANCE
H1497	ADOPT FLAT FEE FOR DEBT COLLECTION.	S REC FROM HOUSE S REF TO COM ON FINANCE
05-25-04		
H1683	HONOR WORLD WAR II VETS.	HA AMEND ADOPTED #1 H ADOPTED
05-27-04		
S1054	INCREASE METHAMPHETAMINE PENALTIES.	S REPTD FAV COM SUBSTITUTE SA COM SUBSTITUTE ADOPTED S PLACED ON CAL FOR 6/1/2004
05-27-04		
S1063	ELIMINATE IRB WAGE STANDARD.	S PASSED 2ND & 3RD READING
S1128	LOCKSMITH CRIMINAL HISTORY RECORD CHECK FEE.	S REPTD FAV COM SUBSTITUTE SA COM SUBSTITUTE ADOPTED S PLACED ON CAL FOR 6/1/2004
05-27-04		
S1225	2004 TECHNICAL CORRECTIONS ACT.	S WITHDRAWN FROM COMM S RE-REF COM ON JUDICIARY I
S1357	INCREASE PENALTY FOR THREATS TO CHILDREN.	S HELD AS FILED
S1358	CHARTER SCHOOL RETIREMENT ELECTION.	S HELD AS FILED
S1364	PASSENGER VEHICLE TOWERS TO KEEP RIGHT.	S HELD AS FILED
S1365	STATE GRANTEES DISCLOSE.	S HELD AS FILED
S1366	STATE RETIREE DISCLOSURES/HEALTH BENEFIT LIAB.	S HELD AS FILED
S1369	SAFE TRANSPORTATION FOR SCHOOL STUDENTS.	S HELD AS FILED
S1387	PROOF OF LEGAL STATUS REQUIRED/SOC. SERVICES.	S HELD AS FILED

LOCAL BILLS

H1363	LAKE TOXAWAY MOTOR VEHICLE REGULATION.	H PASSED 2ND & 3RD READING
H1364	TRANSYLVANIA LAND ACQUISITION/ CONVEYANCE.	H PASSED 2ND & 3RD READING
H1378	EDGECOMBE/WILSON DEEDS.	H PASSED 2ND & 3RD READING
H1425	MORGANTON/BURKE/BROUGHTON MUTUAL AID.	HA REPTD FAV COM SUBSTITUTE H CAL PURSUANT RULE 36(B)
05-27-04		
H1447	CITY OF GREENVILLE-ABANDONED/JUNKED VEHICLES.	S REC FROM HOUSE S REF TO COM ON STATE GOVERNMENT, LOCAL GOVERNMENT, AND VETERANS' AFFAIRS
05-24-04		
H1454	CHOCOWINITY STAGGERED TERMS.	HA REPTD FAV COM SUBSTITUTE H CAL PURSUANT RULE 36(B)
05-27-04		
H1462	SEVEN DEVILS-REGULATE GOLF CARTS/UTIL. VEH.	H PASSED 2ND & 3RD READING

H1471 BAKERSVILLE DEANNEXATION.	H	REPTD FAV
	H	CAL PURSUANT RULE 36(B)
H1474 YANCEY COUNTY CONSTRUCTION.	H	WITHDRAWN FROM CAL
	H	RE-REF COM ON LOCAL GOVERNMENT II
	HA	REPTD FAV COM SUBSTITUTE
	H	CAL PURSUANT RULE 36(B)
05-27-04		
H1475 BADIN SATELLITE ANNEXATION.	H	REPTD FAV
	H	CAL PURSUANT RULE 36(B)
H1520 GASTON TEMPORARY SALES TAX REFERENDUM.	H	REPTD FAV
	H	CAL PURSUANT RULE 36(B)
H1543 ASHEVILLE ABC BOARD MEMBERSHIP INCREASED.	HA	REPTD FAV COM SUBSTITUTE
	H	CAL PURSUANT RULE 36(B)
05-27-04		
H1553 GRIMESLAND BOUNDARY RESTATEMENT.	H	REPTD FAV
	H	CAL PURSUANT RULE 36(B)
H1566 ABOLISH WILKES COUNTY CORONER.	H	PASSED 2ND & 3RD READING
S1044 WILKES VISITOR CENTER.	S	PASSED 2ND & 3RD READING
S1060 TOWN OF FRANKLIN OCCUPANCY TAX.	S	PASSED 2ND READING
	S	PLACED ON CAL FOR 6/1/2004
S1093 EDGECOMBE/WILSON TAX CERTIFICATION.	S	WITHDRAWN FROM CAL
	S	PLACED ON CAL FOR 6/1/2004
05-25-04		
S1096 CONCORD/KANNAPOLIS BOUNDARIES ADJUSTED.	S	PASSED 2ND READING
	S	PLACED ON CAL FOR 6/1/2004
S1122 CHAPEL HILL SCHOOL SITES.	S	PASSED 2ND & 3RD READING
S1125 JOHNSTON CORONER ABOLISHED.	S	PASSED 2ND & 3RD READING
S1177 RANDLEMAN SATELLITE ANNEXATIONS.	S	PASSED 2ND READING
	S	PLACED ON CAL FOR 6/1/2004
S1178 ABOLISH WILKES COUNTY CORONER.	S	PASSED 2ND & 3RD READING
S1189 EXPAND CHADBOURN ETJ.	S	PASSED 2ND & 3RD READING

SUMMARIES OF AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

S 1054. INCREASE METHAMPHETAMINE PENALTIES. Intro. 5/12/04. Senate committee substitute makes the following changes to 1st edition. Rewrites title of bill to read *TO PROVIDE THAT THE UNLAWFUL DISTRIBUTION OF METHAMPHETAMINE THAT PROXIMATELY RESULTS IN THE DEATH OF A PERSON IS SECOND DEGREE MURDER, TO MAKE IT AN AGGRAVATING FACTOR TO MANUFACTURE METHAMPHETAMINE IN A LOCATION THAT ENDANGERS A CHILD, TO INCREASE THE CRIMINAL PENALTY FOR THE UNLAWFUL MANUFACTURE OF METHAMPHETAMINE, AND TO INCREASE THE CRIMINAL PENALTY FOR THE POSSESSION OF PRECURSOR SUBSTANCES FOR METHAMPHETAMINE, AS RECOMMENDED BY THE JOINT LEGISLATIVE CORRECTIONS, CRIME CONTROL AND JUVENILE JUSTICE OVERSIGHT COMMITTEE, AND TO REQUIRE THE COMMISSION FOR HEALTH SERVICES TO ESTABLISH DECONTAMINATION STANDARDS FOR PROPERTY USED FOR THE MANUFACTURE OF METHAMPHETAMINE.* Adds new GS 130A-284, effective Jan. 1, 2005, to require decontamination standards described in title.

S 1128. LOCKSMITH CRIMINAL HISTORY RECORD CHECK FEE. Intro. 5/18/04. House committee substitute makes the following changes to 1st edition. Specifies that locksmith board collects record check fee and pays them over to Dep't of Justice.

HOUSE BILLS

H 1425. MORGANTON/BURKE/BROUGHTON MUTUAL AID/WPCC. Intro. 5/13/04. House committee substitute makes the following changes to 1st edition. Enacts new GS 122C-430(b) to authorize the Broughton Police Dep't to exercise powers at Western Piedmont Community College upon agreement of the College and the Dep't of Health and Human Services. Applicable to Burke County only.

H 1430. IRC UPDATE. Intro. 5/13/04. House committee substitute changes date in 1st edition referencing the Internal Revenue Code from Jan. 1, 2004, to May 1, 2004.

H 1443. COMMERCE SERVICENTER. Intro. 5/13/04. House committee substitute makes the following changes to 1st edition. Deletes changes to GS 147-54.17. Vests rulemaking authority related to the Business Service Center with the Sec'y of Commerce. Changes reporting provision in GS 143B-472.103 from permissive to mandatory. Requires the Business Service Center to designate a Small Business Ombudsman to work with the small business community to identify problems in state government related to unnecessary delays, inconsistencies between regulatory agencies, and the inefficient and ineffective uses of state resources.

H 1444. JDIG - ENCOURAGE USE OF NC SMALL BUSINESSES. Intro. 5/13/04. House committee substitute makes the following changes to 1st edition. Defines "small business" as a business employing 100 or fewer employees. Makes technical changes.

H 1454. CHOCOWINITY STAGGERED TERMS. Intro. 5/17/04. House committee substitute makes the following changes to 1st edition. Makes technical changes only.

H 1474. YANCEY COUNTY CONSTRUCTION. Intro. 5/17/04. House committee substitute makes the following changes to 1st edition. Clarifies that the authority granted Yancey County in the act is for purposes of the development of a consolidated health care facility in a public-private initiative involving the county and a private health care provider. Adds Jan. 1, 2010, sunset provision.

H 1543. ASHEVILLE ABC BOARD MEMBERSHIP INCREASED. Intro. 5/20/04. House committee substitute makes the following changes to 1st edition. Makes technical changes only.

H 1640. DARE AFFORDABLE HOUSING FOR TEACHERS. Intro. 5/25/04. House committee substitute adopted 5/26/04 makes the following changes to 1st edition. Makes technical changes only.

H 1683. HONORING WWII VETERANS. Intro. 5/26/04. House amendment makes the following changes to 1st edition. Makes technical changes only.

In the Senate session scheduled for May 28, 2004, and the House session scheduled for May 31, 2004, no votes are to be taken on bills. No *Daily Bulletin* will be published on those dates. The next *Daily Bulletin* will be published on Tuesday, June 1, 2004.

NEXT SESSIONS

HOUSE convenes at 7:00 p.m., Monday, May 31, 2004

SENATE convenes at 9:00 a.m., Friday, May 28, 2004

41
2004/13

Daily Bulletin

ACTIONS BY THE NORTH CAROLINA GENERAL ASSEMBLY

Institute *of* Government—School of Government
The University of North Carolina at Chapel Hill
Legislative Reporting Service, Box 7294 State Legislative Building, Raleigh, NC 27601
Phone 919.733.2484 Fax 919.715.3464

House Legislative Day 117 Vol. 2004, No. 13 Senate Legislative Day 119

Tuesday, June 1, 2004

BILLS INTRODUCED MAY 28, 2004

BILL #	SHORT TITLE	IDEN	COMMITTEE	GS INDEX
S 1388	2004 ESC OMNIBUS ACT	H 1727	FINANCE	96
S 1389	MENTAL HEALTH TREATMENT COURT PILOT		APPROPRIATION	APPROP
S 1390	PLANNING FUNDS FOR THE HEALTH ADVENTURE	H 1697	APPROPRIATION	APPROP
S 1391	CHILD PORN/INTERNET		HELD AS FILED	14
S 1392	FUND REAL PROP. FACULTY POSITION/IOG		APPROPRIATION	APPROP
S 1393	LOCAL JUVENILE CRIME PREVENTION COUNCIL FUNDS		APPROPRIATION	APPROP
S 1394	FUNDS/EQUIPMENT FOR GROVE ARCADE ARTISANS	H 1696	APPROPRIATION	APPROP
S 1395	EXPLORIS MUSEUM CAPITAL FUNDS		APPROPRIATION	LOCAL APPROP
S 1396	FUNDING FOR EXPLORIS/GRASSROOTS PROGRAM		APPROPRIATION	LOCAL APPROP
S 1397	ELIGIBILITY/FOSTER CARE STATE FUNDS PROGRAM		APPROPRIATION	APPROP
S 1398	EXEMPT CERTAIN NONPROFIT ORGANIZATIONS		FINANCE	105
S 1399	GRAPE COUNCIL FUNDS AND WINE DEFINITIONS		COMMERCE	183, 105
S 1400	AMEND BOARD OF GOVERNORS		RULES	116
S 1401	AUTHORIZING CONSIDERATION OF BILL CONCERNING DMV LAW ENFORCEMENT		RULES	JOINT RES
S 1402	CHILDREN'S ADVOCACY CENTERS' FUNDS	H 1747	APPROPRIATION	APPROP
S 1403	OPEN DISCOVERY/CRIM CASES		JUDICIARY I	15A, APPROP
S 1404	CLEAN WATER ACT OF 2004		FINANCE	142
S 1405	FIRST-TIME HOME BUYER SAVINGS ACCOUNTS		FINANCE	53
S 1406	FUNDS/EST. TRADE OFFICE IN REPUBLIC OF CHINA		APPROPRIATION	APPROP
S 1407	INJURE LAW OR FIRE OFFICER/METH OFFENSE		HELD AS FILED	90
S 1408	MEMORIALIZING GENERAL GRIFFITH RUTHERFORD		RULES	JOINT RES
S 1409	REGIONAL WATER SUPPLIES/STUDY/FUNDS		APPROPRIATION	162A, APPROP
S 1410	OFFENDER EDUCATION FUNDS		APPROPRIATION	APPROP
S 1411	CORPORATE INCOME TAX EXEMPTION		FINANCE	105, 115C
S 1412	ROCKINGHAM COUNTY LIBRARY FUNDING		APPROPRIATION	APPROP
S 1413	FUNDS FOR DIABETES AWARENESS AND DETECTION		APPROPRIATION	APPROP
S 1414	MEDICAL BOARD FEES		FINANCE	90
S 1415	VOTER PAPER TRAIL STUDY	H 1748	RULES	STUDY, APPROP
S 1416	STATE EMPLOYEES/TEACHERS PAY INCREASES		APPROPRIATION	APPROP
S 1417	AMEND TOBACCO RESERVE FUND		FINANCE	66
S 1418	R&R FUNDS TIED TO ENERGY/WATER CONSERVAT'N		APPROPRIATION	143
S 1419	SWEEPERS MOTOR FUELS TAX REFUND		FINANCE	105
S 1420	APPOINTMENTS BILL		RULES	UNCODIFIED

N.C. DOCUMENTS CLEARINGHOUSE
JUN 03 2004

This publication is printed on permanent, acid-free paper in compliance with the North Carolina General Statutes
Institute of Government—School of Government
The University of North Carolina at Chapel Hill

© 2004

STATE LIBRARY OF NORTH CAROLINA
RALEIGH

S 1421	LRC STUDY STATE HEALTH PLAN NEWBORN COVERAGE	RULES	STUDY
S 1422	FREEZE MOTOR FUELS TAX	FINANCE	105
S 1423	CREATE NEW JOBS/RECRUIT NEW BUSINESS	FINANCE	105, 115C, 143B, 159C, 159D, APPROP
S 1424	AUTHORIZING CONSIDERATION OF BABY GREER ACT	RULES	JOINT RES
S 1425	FETAL MURDER	RULES	14
S 1426	OPTIONAL SIMPLE INCOME TAX	FINANCE	105
S 1427	STUDY INTERSTATE TAX COOPERATION	RULES	STUDY, APPROP
S 1428	EXTEND SWIFT CREEK STUDY/FUNDS	APPROPRIATION	APPROP
S 1429	EXEMPT AGRICULTURAL MULCH AND BED COVERS	FINANCE	105
S 1430	NC HOME PROTECTION LOAN PROGRAM/FUND	APPROPRIATION	APPROP
S 1431	REGISTRATION PLATES	FINANCE	20
S 1432	AMEND LOBBYING LAWS-3	JUDICIARY I	120, APPROP
S 1433	LONG-TERM CARE CRIMINAL BACKG. CHECKS	APPROPRIATION	114, 131D, 131E, APPROP
S 1434	JUDICIAL ELECTIONS	APPROPRIATION	163, APPROP

BILLS INTRODUCED MAY 31, 2004

BILL #	SHORT TITLE	IDEN	COMMITTEE	GS INDEX
H 1747	CHILDREN'S ADVOCACY CENTERS' FUNDS		APPROPRIATIONS	APPROP
H 1748	VOTER PAPER TRAIL STUDY		RULES	STUDY, APPROP
H 1749	REDUCE CORPORATE INCOME TAX		FINANCE	105
H 1750	HEALTHFUL SCHOOL FOOD CHOICES/PILOT PROGRAM		APPROPRIATIONS	APPROP
H 1751	FORTIFY AGAINST UNAUTHORIZED INSURANCE		RULES	58
H 1752	LOCAL POLICIES TO PREVENT BULLYING IN SCHOOLS		RULES	115C, APPROP
H 1753	FUNDS/HEALTHY CAROLINIANS	S 1360	APPROPRIATIONS	APPROP
H 1754	FUNDS FOR WILSON COUNTY RESIDENTIAL SERVICES		APPROPRIATIONS	LOCAL APPROP
H 1755	TAX PERSONAL BUSINESS INCOME AT CORP. RATE		FINANCE	105
H 1756	VETERANS FREEDOM PARK FUNDS		APPROPRIATIONS	LOCAL APPROP
H 1757	TEACHING FELLOWS ON FOCUSED GROWTH CAMPUSES		APPROPRIATIONS	115C, APPROP
H 1758	TAX CUT ACT OF 2004		FINANCE	105, 115C
H 1759	STATE EMPLOYEE PAY PERIODS		RULES	126
H 1760	NO CREDIT FOR NET JOB LOSS		FINANCE	105
H 1761	INCREASE WINE TAXES		FINANCE	105
H 1762	AGRIBUSINESS & AGRICULTURE FELLOWS PROG.		APPROPRIATIONS	APPROP
H 1763	INCREASE REGULATION OF AMUSEMENT DEVICES		FINANCE	14, 105
H 1764	PUBLIC CAMPAIGN FUND AMENDMENTS		FINANCE	84, 105, 163
H 1765	STUDY COMMISSION/PROMOTING PATIENT SAFETY		RULES	STUDY, APPROP
H 1766	STATEWIDE CRIM. JUSTICE TRUTH COMMISSION		JUDICIARY I	7A, APPROP
H 1767	ROCKINGHAM COUNTY LIBRARY FUNDING		APPROPRIATIONS	APPROP
H 1768	ELIGIBILITY/FOSTER CARE STATE FUNDS PROGRAM		RULES	APPROP
H 1769	CLARIFY SPECIAL MOBILE EQUIPMENT		FINANCE	105
H 1770	CHARTER SCHOOL GRANTS/MATCHING FUNDS		APPROPRIATIONS	115C, APPROP
H 1771	ADEQUATE FUNDS FOR COMM. COLLEGE ENROLLMENT		APPROPRIATIONS	APPROP
H 1772	COMPENSATE SWAIN FOR LOST PROPERTY TAXES		RULES	APPROP
H 1773	FREE VETERAN'S DRIVERS LICENSE		RULES	20
H 1774	INVESTIGATE DEATH PENALTY ISSUES/FUNDS		RULES	STUDY, APPROP
H 1775	MODIFY UNC SPECIAL OBLIGATION BONDS		RULES	116D
H 1776	UNC CONSTRUCTION SPECIFICATIONS		RULES	133
H 1777	STATE HELICOPTER BUDGET		RULES	APPROP
H 1778	LOCAL SCHOOL CONSTRUCTION FINANCING STUDY	S 1372	RULES	STUDY, APPROP
H 1779	FUNDS TO RELOCATE DISTRICT 9 FORESTRY OFFICE		APPROPRIATIONS	APPROP

H 1780	AMEND LOBBYING LAWS		RULES	120, APPROP
H 1781	COURT FEE CHANGES	S 1332	FINANCE	7A
H 1782	ELIMINATE VACANT STATE POSITIONS		RULES	UNCODIFIED
H 1783	RECAPTURE REVERSIONS MONTHLY		RULES	UNCODIFIED
H 1784	WNC COMMUNITIES FUNDS		APPROPRIATIONS	LOCAL APPROP
H 1785	AUTHORIZING CONSIDERATION OF BILL CONCERNING NOTARIES' FEES		WAYS & MEANS	JOINT RES
H 1786	COACHING SCHOLARSHIP FUND		EDUCATION	116, APPROP
H 1787	LRC STUDY STATE HEALTH PLAN NEWBORN COVERAGE	S 1421	RULES	STUDY
H 1788	AMEND LOBBYING LAWS-3		RULES	120, APPROP
H 1789	AMEND LOBBYING LAWS-4		RULES	120, APPROP
H 1790	HISTORIC VEHICLES—REDUCED REGISTRATION FEE		FINANCE	20
H 1791	MILITARY BUSINESS CENTER	S 1350	APPROPRIATIONS	66, APPROP
H 1792	LICENSE PLATE DESIGN CONTEST		RULES	APPROP
H 1793	DURHAM COUNTY FAMILY COURT FUNDS		APPROPRIATIONS	APPROP
H 1794	FUNDS FOR YOUTH DEVELOPMENT CENTERS		APPROPRIATIONS	APPROP
H 1795	MODIFY YOUTH FACILITY DEBT AUTHORIZATION		FINANCE	APPROP
H 1796	FUND COMMUNITY-BASED CORRECTIONS PROGRAMS		APPROPRIATIONS	APPROP
H 1797	IMPROVE ENVIRONMENTAL QUALITY FUNDS		APPROPRIATIONS	APPROP
H 1798	LOW EMISSION VEHICLES/FUNDS	S 1376	RULES	20, 143, APPROP
H 1799	OPEN CRIMINAL DISCOVERY/FUNDS		RULES	15A, APPROP
H 1800	OPEN DISCOVERY RULES/FUNDS		RULES	15A, APPROP
H 1801	EL PUEBLO SPECIAL REGISTRATION PLATE		FINANCE	20
H 1802	FILM INCENTIVES STUDY COMMISSION/FUNDS		RULES	STUDY, APPROP

BILLS INTRODUCED TODAY

BILL #	SHORT TITLE	IDEN	COMMITTEE	GS INDEX
S 1435	HOME MORTGAGE PROTECTION PILOT PROGRAM		APPROPRIATIONS	APPROP
S 1436	TUITION WAIVER/WARDS OF THE STATE		APPROPRIATIONS	115B
S 1437	TEACHING FELLOWS AT ALL UNC CAMPUSES		EDUCATION	115C, APPROP

SUMMARIES OF BILLS INTRODUCED MAY 28, 2004

SENATE BILLS

S 1388. 2004 ESC OMNIBUS ACT (=H 1727). *MAKING OMNIBUS CHANGES TO THE EMPLOYMENT SECURITY LAWS OF NORTH CAROLINA AND APPROPRIATING REED ACT FUNDS.* Identical to H 1727, introduced 5/27/04.
Intro. by Nesbitt.
Ref. to Finance GS 96

S 1389. MENTAL HEALTH TREATMENT COURT PILOT. *TO APPROPRIATE FUNDS FOR THREE MENTAL HEALTH TREATMENT COURT PILOT PROGRAMS WITHIN THE EXISTING DRUG TREATMENT COURT PROGRAM TO SERVE REPEAT ADULT OFFENDERS NEEDING MENTAL HEALTH SERVICES.* Requires the Administrative Office of the Courts to establish pilot programs in judicial districts 15B, 26, and 28 that add a mental health treatment component to the existing drug treatment courts in those districts. Appropriates $137,940 for 2004-2005 from Trust Fund for MH/DD/SA Services to DHHS for mental health treatment services to repeat adult offenders within the targeted population for mental health, developmental disabilities, and substance abuse services as defined in GS 122C-3(38). Appropriates for 2004-2005 from General Fund to Judicial Dep't $36,161 for therapeutic court services to repeat adult offenders and $20,000 to obtain an independent evaluation of the effectiveness of the pilot programs. Effective July 1, 2004.
Intro. by Nesbitt.
Ref. to Appropriations APPROP

S 1390. PLANNING FUNDS FOR THE HEALTH ADVENTURE (=H 1697). *TO PROVIDE PLANNING FUNDS FOR A NEW FACILITY FOR THE HEALTH ADVENTURE.* Identical to H 1697, introduced 5/20/04.
Intro. by Nesbitt.
Ref. to Appropriations APPROP

S 1391. CHILD PORN/INTERNET. *TO ESTABLISH A DUTY ON THE PART OF INTERNET SERVICE PROVIDERS TO REMOVE OR DISABLE ACCESS TO CHILD PORNOGRAPHY ITEMS ACCESSIBLE THROUGH THE SERVICE AND TO MAKE IT A CRIMINAL OFFENSE TO FAIL TO COMPLY WITH THIS DUTY UPON APPROPRIATE NOTIFICATION BY THE ATTORNEY GENERAL.* Adds new Article 62 to GS Ch. 14 to require Internet service providers to remove child pornography items that are accessible through its service if notified to do so by the Attorney General. Failure to do so is a crime, punishable as a misdemeanor for first and second offenses and as a Class I felony for third or subsequent offenses. Confers jurisdiction to prosecute on Attorney General in addition to district attorneys. Allows Attorney General or District Attorney to petition district court for order directing provider to remove child pornographic items; order may be entered ex parte. Only Attorney General may contact service provider to communicate contents of court order. Effective Dec. 1 2004, for offenses committed on or after that date.
Intro. by Hagan.
Held as Filed GS 14

S 1392. FUND REAL PROP. FACULTY POSITION/IOG. *TO APPROPRIATE FUNDS TO THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA TO BE ALLOCATED TO THE SCHOOL OF GOVERNMENT AT THE UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL FOR A FACULTY POSITION IN REAL PROPERTY LAW.* Appropriates $127,260 for 2004-2005 from General Fund to Board of Governors of The University of North Carolina as title indicates. Effective July 1, 2004.
Intro. by Nesbitt.
Ref. to Appropriations APPROP

S 1393. LOCAL JUVENILE CRIME PREVENTION COUNCIL FUNDS. *TO APPROPRIATE FUNDS FOR THE LOCAL JUVENILE CRIME PREVENTION COUNCILS.* Appropriates $2 million for 2004-2005 from General Fund to Dep't of Juvenile Justice and Delinquency Prevention as title indicates, funds to be allocated based on population of counties served by Councils. Effective July 1, 2004.
Intro. by Nesbitt.
Ref. to Appropriations APPROP

S 1394. FUNDS/EQUIPMENT FOR GROVE ARCADE ARTISANS (=H 1696). *TO APPROPRIATE FUNDS TO PURCHASE EQUIPMENT FOR ARTISANS AT THE GROVE ARCADE ART SPACE.* Identical to H 1696, introduced 5/27/04.
Intro. by Nesbitt.
Ref. to Appropriations APPROP

S 1395. EXPLORIS MUSEUM CAPITAL FUNDS. *TO APPROPRIATE FUNDS FOR CAPITAL IMPROVEMENTS OF THE EXPLORIS MUSEUM IN THE CITY OF RALEIGH.* Appropriates $2.5 million for 2004-2005 from General Fund to Exploris to be used for capital expenses. Effective July 1, 2004.
Intro. by Malone.
Ref. to Appropriations LOCAL APPROP

S 1396. FUNDING FOR EXPLORIS/GRASSROOTS PROGRAM. *TO APPROPRIATE FUNDS FOR EXPLORIS, A SCIENCE MUSEUM LOCATED IN RALEIGH.* Appropriates $1 million for 2004-2005 from General Fund to Exploris as title indicates. Further states that it is the intent of the General Assembly that Exploris shall receive a recurring allocation from funds appropriated to the Dep't of Environment and Natural Resources for the Grassroots Science Program. Effective July 1, 2004.
Intro. by Malone.
Ref. to Appropriations LOCAL APPROP

S 1397. ELIGIBILITY/FOSTER CARE STATE FUNDS PROGRAM. *TO INCLUDE AGAPE OF NORTH CAROLINA, INC. ON THE LIST OF AGENCIES ELIGIBLE TO RECEIVE FUNDING FROM THE STATE FUNDS PROGRAM.* As title indicates. Effective July 1, 2004
Intro. by Hagan.
Ref. to Appropriations APPROP

S 1398. EXEMPT CERTAIN NONPROFIT ORGANIZATIONS. *TO EXEMPT AMUSEMENTS PROMOTED AND MANAGED BY CERTAIN NONPROFIT ORGANIZATIONS FROM THE AMUSEMENTS TAX.* Amends GS 105-40 to exempt from the amusements tax youth athletic contests sponsored by nonprofit organizations that have state income tax exemption, and exhibitions, etc., of nonprofit arts organizations that have state income exemptions. Effective July 1, 2004.
Intro. by Hagan, Rand.
Ref. to Finance GS 105

S 1399. GRAPE COUNCIL FUNDS AND WINE DEFINITIONS. *TO RECAPTURE THE GRAPE COUNCIL FUNDS FROM FISCAL YEAR 2002-2003 AND TO REDEFINE FORTIFIED WINE AND UNFORTIFIED WINE.* Amends SL 2003-284, effective June 30, 2004, to direct that funds credited to the Dep't of Agriculture and Consumer Services for the NC Grape Growers Council for 2002-2003 shall not revert to the General Fund but shall remain available to the Council. Redefines "fortified wine" in GS 18B-101 and GS 105-113.68(a)(5) to mean any beverage, of more than 14% and no more than 24% alcohol by volume, made from the fermentation of fruits, berries, or grapes, or by the addition of pure brandy (made from grapes), cane, beet, or dextrose sugar, and produced in accordance with the regulations of the United States. Redefines "unfortified wine" in GS 18B-101 and GS 105-113(a)(12) to mean any beverage of 14% or less alcohol by volume made from the fermentation of fruits, berries, or grapes, or by the addition of pure brandy (made from grapes), cane, beet, or dextrose sugar, and produced in accordance with the regulations of the United States. Effective Oct. 1, 2004.
Intro. by Rand.
Ref. to Commerce GS 18B, 105

S 1400. AMEND BOARD OF GOVERNORS. *TO AMEND THE LAWS REGARDING THE METHOD OF ELECTION OR APPOINTMENT OF MEMBERS TO THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA, THE LENGTH AND NUMBER OF TERMS A MEMBER MAY SERVE, AND THE SIZE OF THE BOARD.* Blank bill.
Intro. by Rand.
Ref. to Rules GS 116

S 1401. AUTHORIZING CONSIDERATION OF BILL CONCERNING DMV LAW ENFORCEMENT. *AUTHORIZING THE 2003 GENERAL ASSEMBLY, REGULAR SESSION 2004, TO CONSIDER A BILL TO BE ENTITLED AN ACT TO AUTHORIZE OFFICERS OF THE DIVISION OF MOTOR VEHICLES TO ENFORCE CERTAIN CRIMINAL LAWS.* As title indicates.
Intro. by Rand.
Ref. to Rules JOINT RES

S 1402. CHILDREN'S ADVOCACY CENTERS' FUNDS (=H 1747). *TO APPROPRIATE FUNDS FOR CHILD ADVOCACY CENTERS.* Identical to H 1747, introduced 5/31/04.
Intro. by Rand.
Ref. to Appropriations APPROP

S 1403. OPEN DISCOVERY/CRIM CASES. *TO PROVIDE FOR OPEN DISCOVERY IN CLASS A THROUGH E FELONIES AND TO MAKE CERTAIN OTHER AMENDMENTS TO THE LAWS REGARDING DISCOVERY IN CRIMINAL CASES.* Adds new GS 15A-903(h) to require, in Class A through E felony prosecutions, disclosure by prosecutor of all materials in prosecutorial or law enforcement files upon motion of defendant. Also requires notice of intent to call experts, and specifies disclosure of expert's qualifications and intended testimony. Requires disclosure of list of witnesses state intends to call, subject to prosecutor's withholding of witness' name if disclosure may subject witness to harm or coercion. Exempts materials written by prosecutors for their own use at trial, as well as other documents that contain the opinions, theories, or conclusions of the prosecutor. Amends GS 15A-905 to provide that upon granting of defendant's motion, state may request and is entitled to receive similar information from defendant about expert witnesses, witness lists and notice of certain defenses. Specifies that notice about defenses of duress, entrapment, insanity, automatism or involuntary intoxication must contain

specific information about nature and extent of defense, but that information may not admitted into evidence against the defendant. Allows for ex parte protective orders by both state and defense. Amends GS 15A-501 impose affirmative, continuing duty on law enforcement officers to make all information obtained in felony investigations available to prosecutor on a timely basis. Appropriates $250,000 from General Fund to Administrative Office of the Courts for reserve fund to assist prosecutors in complying with provisions of act. Effective Oct. 1, 2004, except for appropriation which is effective July 1, 2004.
Intro. by Rand.
Ref. to Judiciary I GS 15A, APPROP

S 1404. CLEAN WATER ACT OF 2004. *TO AUTHORIZE THE ISSUANCE OF SPECIAL INDEBTEDNESS TO ADDRESS STATEWIDE CRITICAL INFRASTRUCTURE NEEDS BY PROVIDING FUNDS FOR GRANTS TO LOCAL GOVERNMENT UNITS FOR WATER SUPPLY SYSTEMS, WASTEWATER COLLECTION SYSTEMS, WASTEWATER TREATMENT WORKS, AND WATER CONSERVATION AND WATER REUSE PROJECTS.* As title indicates.
Intro. by Kerr.
Ref. to Finance GS 142

S 1405. FIRST-TIME HOME BUYER SAVINGS ACCOUNTS. *TO ESTABLISH THE NORTH CAROLINA FIRST-TIME HOME BUYER SAVINGS ACCOUNT PROGRAM.* Enacts new Ch. 53, Art. 26 (GS 53-530 to 53-536), and GS 105-134.6(e) as title indicates. GS 105-134.6(e) provides that for first 10 years, first-time home buyer may deduct from state taxable income money deposited in account up to $6,000 for those filing married filing jointly and $3,000 for all other filings. Further authorizes home buyer to deduct interest on account of up to $2,000 for married filing jointly filings and $1,000 for all others. GS 53-531(4) defines "first-time home buyer" as an individual who has not owned or purchased a single-family residence in NC or elsewhere within last three years. Establishes notice requirements and penalties for withdrawal of account funds other than for the purpose of buying a single-family home. Effective for accounts created on or after Jan. 1, 2005.
Intro. by Queen, Rand.
Ref. to Finance GS 53

S 1406. FUNDS/EST. TRADE OFFICE IN REPUBLIC OF CHINA. *TO APPROPRIATE FUNDS TO THE DEPARTMENT OF COMMERCE TO ESTABLISH A TRADE OFFICE IN THE REPUBLIC OF CHINA.* Appropriates $82,432 for 2004-2005 from General Fund to Dep't of Commerce as title indicates. Effective July 1, 2004.
Intro. by Weinstein, Rand, Dannelly, Purcell, Swindell, Malone.
Ref. to Appropriations APPROP

S 1407. INJURE LAW OR FIRE OFFICER/METH OFFENSE. *TO PROVIDE THAT IF A DEFENDANT COMMITS A DRUG OFFENSE, AND THE CONTROLLED SUBSTANCE IS METHAMPHETAMINE, AND THE OFFENSE RESULTS IN SERIOUS BODILY INJURY TO A LAW ENFORCEMENT OFFICER OR FIREFIGHTER THEN THE DEFENDANT IS GUILTY OF AN OFFENSE THAT IS ONE CLASS HIGHER THAN THE OFFENSE COMMITTED.* Amends GS 90-95(e) as title indicates. Effective Dec. 1, 2004, and applicable to offenses committed on or after that date.
Intro. by Foxx.
Held as Filed GS 90

S 1408. MEMORIALIZING GENERAL GRIFFITH RUTHERFORD. *HONORING THE LIFE AND MEMORY OF GENERAL GRIFFITH RUTHERFORD ON THE 225TH ANNIVERSARY OF RUTHERFORD COUNTY.* As title indicates.
Intro. by Dalton.
Ref. to Rules JOINT RES

S 1409. REGIONAL WATER SUPPLIES/STUDY FUNDS. *TO ESTABLISH THE REGIONAL WATER SUPPLY AUTHORITY TO ASSIST CUMBERLAND COUNTY, MOORE COUNTY, THE CITY OF SHELBY, THE CITY OF STATESVILLE, AND CERTAIN OTHER DROUGHT STRICKEN COMMUNITIES WITH THE DEVELOPMENT AND FUNDING OF REGIONAL WATER SUPPLY SYSTEMS, TO DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO CONDUCT AN ENGINEERING STUDY AND REPORT OF A PROPOSED DAM AND RESERVOIR TO BE LOCATED ON THE CAPE FEAR RIVER IN CUMBERLAND COUNTY, TO DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO APPLY*

FOR A GRANT TO FUND THE PLANNING, DEVELOPMENT, AND CONSTRUCTION OF REGIONAL WATER SUPPLY SYSTEMS, AND TO APPROPRIATE FUNDS TO THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO ASSIST WITH THE COST OF IMPLEMENTING THE ACT. Amends GS 162A-24.1 to create the Regional Water Supply Authority within the Dep't of Environment and Natural Resources for purposes as title indicates. Directs Dep't to apply for grant from the Clean Water Management Trust Fund. Appropriates $35,000 for 2004-2005 from General Fund to Dep't of Environment & Natural Resources. Effective July 1, 2004.
Intro. by Shaw.
Ref. to Appropriations GS 162A, APPROP

S 1410. OFFENDER EDUCATION FUNDS. *TO APPROPRIATE FUNDS TO REDUCE THE RECIDIVISM RATE BY ESTABLISHING AN EDUCATIONAL PROGRAM DESIGNED TO PROVIDE NONVIOLENT OFFENDERS WITH A PRODUCTIVE EDUCATION.* Appropriates $500,000 for 2004-2005 from General Fund to Dep't of Correction as title indicates. Effective July 1, 2004.
Intro. by Shaw.
Ref. to Appropriations APPROP

S 1411. CORPORATE INCOME TAX EXEMPTION. *TO PROVIDE A CORPORATE INCOME TAX EXEMPTION.* Amends GS 105-130.3 to permit a C Corporation to exempt a portion of its state net income from the state income tax. Provides table for determining exemption amount. Amends GS 115C-546.1(b) to change the amount of state revenue allocated to the Public School Building Capital Fund from five sixty-ninths of net collections received by the Dep't of Revenue to 7.4% of collections.
Intro. by Smith.
Ref. to Finance GS 105, 115C

S 1412. ROCKINGHAM COUNTY LIBRARY FUNDING. *ALLOWING ROCKINGHAM COUNTY TO REDUCE ITS MAINTENANCE OF EFFORT REQUIREMENT FOR FUNDING FROM THE AID TO PUBLIC LIBRARIES FUND.* As title indicates, authorizing reduction from $1,770,465 to $1,520,465. Provides that reduction shall not reduce amount county receives from fund. Effective July 1, 2004.
Intro. by Berger.
Ref. to Appropriations APPROP

S 1413. FUNDS FOR DIABETES AWARENESS AND DETECTION. *TO APPROPRIATE FUNDS TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES FOR DIABETES AWARENESS AND DETECTION.* Appropriates $100,000 for 2004-2005 from General Fund to Dep't of Health and Human Services, Div'n of Public Health, as title indicates. Effective July 1, 2004.
Intro. by Carpenter, Purcell, Forrester, Nesbitt.
Ref. to Appropriations APPROP

S 1414. MEDICAL BOARD FEES. *TO AUTHORIZE AN INCREASE IN CERTAIN MEDICAL BOARD FEES.* Amends GS 90-15 to change fee to practice medicine and surgery to $350 (was, $400 for license with examination, $250 without examination) and increase fee for limited license to practice in a medical education and training program to $100 (was, $25). Amends GS 90-15.1 to increase annual registration fee for the practice of medicine to $175 (was, $125) and penalty for failure to register to $50 (was, $20). Effective Nov. 1, 2004.
Intro. by Purcell.
Ref. to Finance GS 90

S 1415. VOTER PAPER TRAIL STUDY (=H 1748). *TO ESTABLISH THE ELECTRONIC VOTING SYSTEMS STUDY COMMISSION TO STUDY WHETHER ALL DIRECT RECORD ELECTRONIC VOTING EQUIPMENT SHOULD PRODUCE A VOTER-VERIFIABLE PAPER TRAIL; TO PLACE A MORATORIUM ON THE PURCHASE OF DIRECT-RECORD-ELECTRONIC VOTING SYSTEMS WITHOUT A VOTER-VERIFIABLE PAPER TRAIL UNTIL JULY 1, 2005, AND TO APPROPRIATE FIFTY THOUSAND DOLLARS FOR THE STUDY.* Identical to H 1748, introduced 5/31/04.
Intro. by Kinnaird.
Ref. to Rules STUDY, APPROP

S 1416. STATE EMPLOYEES/TEACHERS PAY INCREASES. *APPROPRIATING FUNDS TO PROVIDE TO STATE EMPLOYEES A LEGISLATIVE PAY INCREASE OF TWO THOUSAND DOLLARS AND ESTABLISHING*

A MINIMUM LIVING WAGE FOR STATE-FUNDED EMPLOYEES. Substantially similar to H 1384 introduced 5/12/04, except raises state employees' pay by $2,000 rather than by 5% and does not contain provisions for raising salaries of public school personnel. Has same pay increases as H 1384 for clerks of court and sergeant-at-arms and reading clerks of each legislative house. For 2004-2005 appropriates $171,200,000 from General Fund and $23,900,000 from Highway Fund to Reserve for Compensation Increase to implement the legislative pay increases authorized by the act. Effective July 1, 2004.
Intro. by Kinnaird.
Ref. to Appropriations APPROP

S 1417. AMEND TOBACCO RESERVE FUND. *TO AMEND THE TOBACCO RESERVE FUND TO PROMOTE THE HEALTH AND WELLNESS OF THE STATE'S CITIZENS AND ECONOMIC DEVELOPMENT.* Amends GS 66-291(b)(2) to provide that to extent that a tobacco product manufacturer establishes that escrow amount required on account of units sold in NC was greater than Master Settlement Agreement payments, as determined by Sec. IX of that agreement, that manufacturer would have been required to make on account of units sold had it been a participating manufacturer, the excess is released from escrow and reverts back to the manufacturer. If any part of act is unconstitutional, GS 66-291(b)(2) is repealed. If GS 66-291(b) is thereafter found to be unconstitutional, then act is repealed and GS 6 6-291(b)(2) is restored as though this act were never enacted. Effective Oct. 1, 2004
Intro. by Albertson.
Ref. to Finance GS 66

S 1418. R&R FUNDS TIED TO ENERGY/WATER CONSERVAT'N. *TO PROVIDE THAT THE REPAIRS AND RENOVATIONS FUNDS FOR THE 2003-2005 BIENNIUM CANNOT BE USED BY A STATE AGENCY UNLESS THE PROPOSED PROJECT IS DESIGNED AND CONSTRUCTED TO MINIMIZE THE CONSUMPTION OF BOTH ENERGY AND WATER TO THE EXTENT POSSIBLE WITHIN THE SCOPE OF THE PROJECT.* Amends SL 2003-284, Sec. 46.1 as title indicates.
Intro. by Albertson, Clodfelter.
Ref. to Appropriations GS 143

S 1419. SWEEPERS MOTOR FUELS TAX REFUND. *TO ALLOW A REFUND OF A PORTION OF MOTOR FUELS TAXES PAID FOR FUEL USED BY A POWER SWEEPER.* Amends GS 105-449.107(b) as title indicates.
Intro. by Albertson.
Ref. to Finance GS 105

S 1420. APPOINTMENTS BILL. *RELATING TO APPOINTMENTS OF PERSONS TO VARIOUS PUBLIC OFFICES.* Blank bill.
Intro. by Albertson.
Ref. to Rules UNCODIFIED

S 1421. LRC STUDY STATE HEALTH PLAN NEWBORN COVERAGE. *AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY CERTAIN ISSUES PERTAINING TO BENEFITS UNDER THE TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN.* As title indicates, Comm'n may study whether to modify or eliminate coverage limits for examination of normal newborn infants, whether to adopt federally qualified health reimbursement arrangement, and whether deductibles and copayments should be adjusted as the income of the employee increases. Authorizes report, if any, to the 2005 General Assembly, 2006 Regular Session. Effective July 1, 2004.
Intro. by Kinnaird.
Ref. to Rules STUDY

S 1422. FREEZE MOTOR FUELS TAX. *TO FREEZE THE VARIABLE WHOLESALE COMPONENT OF THE MOTOR FUELS TAX RATE AT ITS CURRENT RATE FOR A PERIOD OF ONE YEAR.* Amends GS 105-449.80(a) as title indicates by placing ceiling on rate of 6.8 cents per gallon. Repealed effective June 1, 2005.
Intro. by Hoyle, Rand.
Ref. to Finance GS 105

S 1423. CREATE NEW JOBS/RECRUIT NEW BUSINESSES. *TO CREATE NEW JOBS BY RECRUITING NEW BUSINESSES, GROWING EXISTING BUSINESSES, AND ENCOURAGING ENTREPRENEURS.* Effective Jan. 1, 2004, amends GS 105-130.3 to provide a $10,000 exemption from net income for C corporations. Effective

Jan. 1, 2005, increases the exemption to $20,000. Amends GS 115C-546.1(b) to provide that the percentage of collections under GS 105-130.3 remitted to the Public School Building Capital Fund shall be 7.36% from 10/1/04 to 9/30/05 and 7.44% after 9/30/05. Effective July 1, 2004, enacts new GS 143B-434.5 to create the One North Carolina-Industrial Recruitment Competitive Account and to appropriate $20 million from the General Fund to the account each fiscal year, such funds to be nonreverting. Effective Oct. 31, 2002, makes various amendments to GS 143B-437.52, -437.58, and 437.62 to: extend the sunset on new agreements under the investment grant program to Jan. 1, 2009 (now, 2005); increase the maximum amount of grants to $20 million per year; and to provide that upon the request of the committee, the business shall submit a copy of its state and federal tax returns. Effective July 1, 2004, amends GS 143B-437.01(b1) to appropriate annually from the Utility Account to the Dep't of Commerce $300,000 to fund positions and expenses in the Administrative Div. or the Commerce Finance Center necessary to provide support to the Job Development Incentive Grant program. Effective July 1, 2004, amends GS 105-164.14(j) to provide that the sales tax refund granted by that section applies to qualified items, which are defined as building materials, building supplies, fixtures, and equipment if they are installed in the construction of the facility. Purchases for subsequent repair, renovation, or equipment replacement are not qualified. Effective Jan. 1, 2004, amends GS 105-164.14(j)(2) to provide that the required amount of investment in construction to qualify under that section is $50 million if the facility is located in a tier 1, 2, or 3 area, and $100 million in all other areas. Effective July 1, 2004, amends GS 105-164.14(J)(3) to add "aircraft manufacturing," "motor vehicle manufacturing," and semiconductor manufacturing" to the list of qualified industries. Effective Jan. 1, 2004, amends GS 105-164.13(45) to include sales of tangible personal property to a person that leases commercial aircraft to an interstate air business if the property becomes a component part of commercial aircraft during its maintenance, repair, or overhaul. Effective Jan. 1, 2004, the investment credit granted by GS 105-163.012(b) is increased to $9 million (now, $6 million). Provision expires Jan. 1, 2009. Effective Jan. 1, 2004. enacts new GS 105-129.10(d), providing that the tax credits allowed in that section and the credit allowed in new Art. 3F are exclusive; a taxpayer may elect to take only 1 of the 3 credits in a taxable year. Enacts new Art. 3F, GS Ch. 105, providing for certain research and development expenses as tax credits, including a new credit of up to 15% of NC university research expenses. Credits effective for taxable years beginning on or after Jan. 1, 2005, and Art. 3F expires Jan. 1, 2014.

Deletes provisions from GS 159C-7(b) and 159D-7(b) [Industrial Revenue Bonds] requiring the Sec'y to find that the proposed project would pay certain minimum wage levels. Amends GS 105-228.90(b)(1b) to update references to the Internal Revenue Code to Jan. 1, 2004. Effective July 1, 2004, appropriates from General Fund $20 million to Rural Economic Development Center, Inc., to establish and implement the North Carolina Economic Infrastructure Program.

Intro. by Hoyle, Hartsell, Dalton.
Ref. to Finance GS 105, 115C, 143B, 159C, 159D, APPROP

S 1424. AUTHORIZING CONSIDERATION OF BABY GREER ACT. *AUTHORIZING THE 2003 GENERAL ASSEMBLY, REGULAR SESSION 2004, TO CONSIDER A BILL TO BE ENTITLED AN ACT TO BE KNOWN AS THE BABY GREER ACT, TO PROVIDE THAT A PERSON WHO MURDERS A PREGNANT WOMAN SHALL BE GUILTY OF A SEPARATE OFFENSE OF MURDER IN THE RESULTING DEATH OF THE FETUS.* As title indicates.

Intro. by Webster.
Ref. to Rules JOINT RES

S 1425. FETAL MURDER. *TO BE KNOWN AS THE BABY GREER ACT, TO PROVIDE THAT A PERSON WHO MURDERS A PREGNANT WOMAN SHALL BE GUILTY OF A SEPARATE OFFENSE OF MURDER IN THE RESULTING DEATH OF THE FETUS.* Amends GS 14-17 to provide that a person who commits murder in the first or second degree, where the victim is a pregnant woman, is guilty of a separate offense under GS 14-17. Knowledge that the victim of the underlying offense was pregnant, or intent to cause death to the fetus, are not elements of the offense. Provides that the act is not applicable to conduct relating to an abortion or other medical treatment provided to the pregnant woman. Applies to a fetus at any stage of development. Effective December 1, 2004, and applicable to offenses committed on or after that date.

Intro. by Webster.
Ref. to Rules GS 14

S 1426. OPTIONAL SIMPLE INCOME TAX. *TO ENACT AN OPTIONAL SIMPLIFIED INCOME TAX FOR INDIVIDUALS WHO PREFER TO AVOID THE BURDEN AND EXPENSE OF CALCULATING STATE INCOME TAXES.* Enacts new GS 105-134.2A authorizing individual taxpayers to elect an optional simplified income tax,

tax rate to be computed at the applicable percentages provided in GS 105-134.2(a). Effective for taxable years beginning on or after Jan. 1, 2005.
Intro. by Webster.
Ref. to Finance GS 105

S 1427. STUDY INTERSTATE TAX COOPERATION . *AUTHORIZING THE REVENUE LAWS STUDY COMMITTEE TO STUDY INTERSTATE TAX COOPERATION TO ELIMINATE MULTIPLE FILING BY INDIVIDUALS WHO OWE INCOME TAX TO MORE THAN ONE STATE.* Directs Revenue Laws Study Committee to study interstate tax agreements regarding income taxes of individuals who work across North Carolina's borders from their states of residence and to report to the 2006 Regular Session of the 2005 General Assembly. Appropriates $15,000 for 2004-2005 from General Fund to General Assembly to fund study. Effective July 1, 2004.
Intro. by Webster.
Ref. to Rules STUDY, APPROP

S 1428. EXTEND SWIFT CREEK STUDY/FUNDS. *TO PROVIDE FOR ADDITIONAL STUDY OF HOW BEST TO PROTECT WATER QUALITY AND ENDANGERED SPECIES IN THE EASTERN PORTION OF SWIFT CREEK IN THE TAR-PAMLICO RIVER BASIN AND ITS WATERSHED AND TO APPROPRIATE FUNDS FOR CERTAIN RELATED STUDIES.* As title indicates. Appropriates $5,000 for 2004-2005 from General Fund to Wildlife Resources Comm'n for freshwater mussels survey and $2,000 for 2004-2005 from General Fund to Dep't of Environment and Natural Resources for water quality sampling in Swift Creek. Amends SL 2003-433, Sec. 2, to defer action on administrative rule reclassification until 2005 Regular Session (was, 2004). Effective July 1, 2004.
Intro. by Moore.
Ref. to Appropriations APPROP

S 1429. EXEMPT AGRICULTURAL MULCH AND BED COVERS. *AN ACT TO EXEMPT FROM SALES TAX CERTAIN AGRICULTURAL MULCH AND PLANT BED COVERS.* Amends GS 105-164.13(1) by adding plastic mulch and plant bed covers sold to a farmer for agricultural purposes to the list of agricultural tangible personal property exempt from the retail sales and use tax. Also makes stylistic changes to the lead-in language of the statute.
Intro. by Kerr.
Ref. to Finance GS 105

S 1430. NC HOME PROTECTION LOAN PROGRAM/FUND. *AN ACT TO ESTABLISH THE NORTH CAROLINA HOME PROTECTION LOAN PROGRAM AND THE NORTH CAROLINA HOME PROTECTION LOAN FUND AND TO APPROPRIATE FUNDS TO THE NORTH CAROLINA HOME PROTECTION LOAN FUND AND TO IMPLEMENT THIS PROGRAM.* Blank bill.
Intro. by Thomas.
Ref. to Appropriations APPROP.

S 1431. REGISTRATION PLATES. *AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE REGISTRATION PLATES.* Enacts new GS 20-79.02. authorizing the Comm'r of Motor Vehicles to issue "First in Flight" registration plates to the U. S. Dep't of Defense to be used on any Dep't of Defense vehicles and moveable from vehicle to vehicle provided that the plate is displayed only on a vehicle used for official government business and that it is not used on any vehicle permanently assigned to single individual. Records relating to the issuance of such plates shall be treated in the same manner as confidential license plates issues pursuant to GS 20-39.1(e). Effective July 1, 2004.
Intro. by Rand.
Ref. to Finance GS 20

S 1432. AMEND LOBBYING LAWS – 3 (=H 1780). *AN ACT TO AMEND THE LOBBYING LAWS BY INCREASING THE INFORMATION REQUIRED TO BE REPORTED ON LOBBYING ACTIVITIES AND REQUIRING REGISTRATION AND REPORTING OF LOBBYING ACTIVITIES OF EXECUTIVE BRANCH AGENCIES AND EMPLOYEES, AND TO APPROPRIATE FUND TO IMPLEMENT THE ACT.* Identical to H 1780, introduced 5/31/04.
Intro. by Rand.
Ref. to Judiciary I GS 120, APPROP

S 1433. LONG-TERM CARE CRIMINAL BACKG. CHECKS. *AN ACT TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO ESTABLISH A SYSTEM FOR REVIEWING THE CRIMINAL HISTORY OF INDIVIDUALS CONDITIONALLY EMPLOYED IN OR SEEKING EMPLOYMENT IN NURSING HOMES AND ADULT CARE HOMES AND DETERMINING THE INDIVIDUAL'S FITNESS TO BE RESPONSIBLE FOR THE SAFETY AND WELL-BEING OF AGED OR DISABLED PERSONS RESIDING IN THE HOMES; AND TO PROVIDE THAT INDIVIDUALS DETERMINED TO BE UNFIT TO BE RESPONSIBLE FOR THE SAFETY AND WELL-BEING OF AGED OR DISABLED INDIVIDUALS RESIDING IN NURSING HOMES OR ADULT CARE HOMES MAY NOT BE EMPLOYED BY THE NURSING HOME OR ADULT CARE HOME; AND TO APPROPRIATE FUNDS TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO REVIEW CRIMINAL HISTORY RECORD CHECKS TO DETERMINE FITNESS FOR EMPLOYMENT IN ADULT CARE HOMES, NURSING HOMES, AND CHILD CARING FACILITIES; AND TO APPROPRIATE FUNDS TO THE DEPARTMENT OF JUSTICE FOR EXPEDITING THE PROCESSING OF CRIMINAL RECORD CHECKS.* Amends GS 131D-40 and GS 131E-265 as title indicates and appropriates $1,238,266 for 2004-2005 from General Fund to DHHS, $813,000 from General Fund to Dep't of Justice, and $178,082 from General Fund to DHHS, Division of Child Development, all to facilitate criminal records checks in accordance with this Act. Amends both sections to provide that an applicant is unfit for employment if convicted of certain listed offenses. Further amends both sections to require that applicants be provided with the following notice at the time of application: "Mandatory Criminal History Check North Carolina Law Requires That A Criminal History Check Be Conducted On All Persons Who Provide Care To Residents of Adult Care Homes And Who Are Not Required To Have An Occupational License To Provide That Care." Amends GS 114-19.10 to require that for national checks, criminal histories be provided to DHHS. Appropriations effective July 1, 2004, all other sections effective Jan. 1, 2004.
Intro. by Rand.
Ref. to Appropriations GS 114M, 131D, 131E, APPROP

S 1434. JUDICIAL ELECTIONS. *TO MAKE AN APPROPRIATION FOR THE FUND TO SUPPORT NONPARTISAN ELECTION OF APPELLATE JUDGES; AND TO MAKE CERTAIN CHANGES TO THE LAW GOVERNING THE NONPARTISAN JUDICIAL ELECTION PROCESS.* Amends Art. 22D of GS Ch. 163 to provide that a candidate may receive public campaign financing funds for only one specified seat on the NC Court of Appeals or Supreme Court in a given election year. Permits State Board of Elections to allow certified candidates to raise funds to replace amounts not received because of insufficient revenue in the NC Public Campaign Financing Fund ("the Fund"). Sets a December 31 expiration date for terms of office for members of the Fund's advisory council. Notwithstanding the expiration of a term of office, a member of the advisory council must continue to serve until a successor is appointed. Appropriates $1,000,000 for 2004-2005 from General Fund to State Board of Elections to administer the Fund. Appropriations effective July 1, 2004; remainder of provisions effective upon ratification.
Intro. by Rand.
Ref. to Appropriations GS 163, APPROP

SUMMARIES OF BILLS INTRODUCED June 1, 2004

SENATE BILLS

S 1435. HOME MORTGAGE PROTECTION PILOT PROGRAM. *TO CREATE THE NORTH CAROLINA HOME PROTECTION PILOT PROGRAM AND LOAN FUND IN ORDER TO ASSIST NORTH CAROLINA WORKERS WHO HAVE LOST JOBS AS A RESULT OF CHANGING ECONOMIC CONDITIONS IN NORTH CAROLINA WHEN THE WORKERS ARE IN NEED OF TEMPORARY ASSISTANCE TO AVOID LOSING THEIR HOMES TO FORECLOSURE.* Blank bill.
Intro. by Dalton, Hagan.
Ref. to Appropriations APPROP

S 1436. TUITION WAIVER/WARDS OF THE STATE. *TO WAIVE TUITION FOR A PERSON OF A CERTAIN AGE WHOSE PARENTS ARE DEAD OR UNKNOWN OR WHO IS A WARD OF THE STATE AND WHO*

ATTENDS CLASSES AT ANY CONSTITUENT INSTITUTION OF THE UNIVERSITY OF NORTH CAROLINA OR ANY COMMUNITY COLLEGE. Amends GS 115B-2 as title indicates for children between the ages of 17 and 23.
Intro. by Shaw.
Ref. to Appropriations GS 115B

S 1437. TEACHING FELLOWS AT ALL UNC CAMPUSES. *TO EXPAND THE TEACHING FELLOWS PROGRAM TO ALL CAMPUSES OF THE UNIVERSITY OF NORTH CAROLINA THAT OFFER TEACHER TRAINING PROGRAMS.* Amends GS 115C-363.23A(b) as title indicates, and appropriates $225,000 from General Fund to UNC Board of Governors for 2004-05 to provide start-up funds to the 3 UNC campuses that currently are not participating in the Teaching Fellows Program. Effective July 1, 2004.
Intro. by Shaw, Lucas.
Ref. to Education GS 115C, APPROP

SUMMARIES OF BILLS INTRODUCED MAY 31, 2004

HOUSE BILLS

H 1747. CHILDREN'S ADVOCACY CENTERS' FUNDS. *TO APPROPRIATE FUNDS FOR CHILD ADVOCACY CENTERS.* Appropriates $700,000 for 2004-2005 from General Fund to Dep't of Health & Human Services to be allocated to fully certified Child Advocacy Centers for expanding forensic interviewing capabilities and increasing multidisciplinary team training. Effective July 1, 2004.
Intro. by Glazier, Dickson.
Ref. to Appropriations APPROP

H 1748. VOTER PAPER TRAIL STUDY. *TO ESTABLISH THE ELECTRONIC VOTING SYSTEMS STUDY COMMISSION TO STUDY WHETHER ALL DIRECT RECORD ELECTRONIC VOTING EQUIPMENT SHOULD PRODUCE A VOTER-VERIFIABLE PAPER TRAIL; TO PLACE A MORATORIUM ON THE PURCHASE OF DIRECT RECORD ELECTRONIC VOTING SYSTEMS WITHOUT A VOTER-VERIFIABLE PAPER TRAIL UNTIL JULY 1, 2005; AND TO APPROPRIATE FIFTY THOUSAND DOLLARS FOR THE STUDY.* As title indicates. Creates nine-member Comm'n, four members appointed by the Pres. Pro. Tem., four by the Speaker, and one member by the Executive Director of the State Board of Elections. Moratorium effective July 1, 2004. Appropriates $50,000 for 2004-2005 from General Fund to Electronic Voting Systems Study Comm'n as title indicates. Effective July 1, 2004.
Intro. by Insko.
Ref. to Rules STUDY, APPROP

H 1749. REDUCE CORPORATE INCOME TAX. *TO REDUCE THE CORPORATE INCOME TAX TO SIX PERCENT.* Amends GS 105-130.3 to reduce the corporate income tax for income years beginning after 2004 to 6%, and amends GS 115C-546.1 to change amount of corporate tax receipts credited to the Public School Building Capital Fund from 5/69ths' to 1/12th; this change effective Sept. 30, 2005.
Intro. by Goodwin.
Ref. to Finance GS 105

H 1750. HEALTHFUL SCHOOL FOOD CHOICES/PILOT PROGRAM. *TO ESTABLISH A PILOT PROGRAM TO ENSURE THAT SCHOOL FOOD SERVICES SERVE ONLY HEALTHFUL, NUTRITIOUS FOODS.* Directs the State Board of Education to implement a pilot program to help local school administrative units to provide only healthful, nutritious food choices to students. Board must select up to eight local school administrative units to participate in a pilot to be implemented in elementary schools for 2004-2005. Directs Board to reimburse a unit for any decrease in food service revenues caused by students opting not to purchase healthful, nutritious foods. Appropriates $25,000 for 2004-2005 from General Fund to State Board of Education to implement act. Effective July 1, 2004.
Intro. by Yongue.
Ref. to Appropriations APPROP

H 1751. FORTIFY AGAINST UNAUTHORIZED INSURANCE. *TO CLARIFY THE CIVIL LIABILITY AND INCREASE THE CRIMINAL PENALTY FOR PERSONS WHO REPRESENT UNAUTHORIZED INSURERS AND TO PROVIDE THAT SUCH ACTIVITY IS GROUNDS FOR REVOCATION OF THE LICENSE OF THE INSURANCE AGENT OR BROKER; AND TO LIMIT DIRECT PROCUREMENT OF INSURANCE ONLY THROUGH ELIGIBLE SURPLUS LINES INSURERS.* Amends GS 58-33-95 to make any person or entity that solicits, negotiates, or sells insurance in the state for an unauthorized insurer (1) liable for any losses or unpaid claims if an unauthorized insurer fails to pay in full or in part any claim within the provisions of the insurance; (2) guilty of a Class 1 misdemeanor if the person or entity does not know that the insurer is an unauthorized insurer; and (3) guilty of a Class H felony if the person or entity knows the insurer is an unauthorized insurer. Filing of a criminal action does not preclude civil action or license revocation. Amends GS 58-28-5(b) to replace reference to unlicensed insurer with reference to eligible surplus lines insurer, as defined in GS 58-21-10(3). Makes conforming changes. Effective Dec. 1, 2004.
Intro. by Holliman.
Ref. to Rules GS 58

H 1752. LOCAL POLICIES TO PREVENT BULLYING IN SCHOOLS. *DIRECTING LOCAL BOARDS OF EDUCATION TO ADOPT POLICIES ON BULLYING.* Amends GS 115C-47 to direct school boards to adopt policies on bullying, including definition of bullying, notification policies, prevention strategies and compliance policies. Appropriates $25,000 from General Fund to Dep't of Public Instruction for fiscal 2004-05 to implement act. Effective July 1, 2004.
Intro. by Insko.
Ref. to Rules GS 115C, APPROP

H 1753. FUNDS/HEALTHY CAROLINIANS (=S 1360). *TO APPROPRIATE FUNDS TO ASSIST IN THE ESTABLISHMENT AND SUSTAINABILITY OF HEALTHY CAROLINIANS PARTNERSHIPS HEALTH PROMOTION INITIATIVES IN EACH COUNTY.* Identical to S 1360, introduced 5/27/04.
Intro. by Weiss, Nye.
Ref. to Appropriations APPROP

H 1754. FUNDS FOR WILSON COUNTY RESIDENTIAL SERVICES. *TO APPROPRIATE FUNDS TO WILSON COUNTY RESIDENTIAL SERVICES, INC., A NONPROFIT ORGANIZATION, FOR PROGRAMMATIC AND ADMINISTRATIVE PURPOSES.* Appropriates from the General Fund $25,000 for 2004-05 as title indicates. Effective July 1, 2004.
Intro. by Farmer-Butterfield.
Ref. to Appropriations LOCAL APPROP

H 1755. TAX PERSONAL BUSINESS INCOME AT CORP. RATE. *TO ALLOW FOR AN ALTERNATIVE METHOD OF TAXATION FOR CERTAIN INCOME EARNED BY AN INDIVIDUAL TAXPAYER.* Enacts new GS 105-134.9 as title indicates, authorizing individual with entrepreneurial income to elect to compute tax liability by using entrepreneurial income rate and establishing method of calculating tax due. Enacts new GS 105-134.1(3a) defining entrepreneurial income, new –134.1(8a) defining net entrepreneurial income, and new –134.1(15a) defining taxable entrepreneurial income. Makes conforming changes to GS 105-134.5 (b) and (c). Effective for taxable years beginning on or after Jan. 1, 2004.
Intro. by Baker.
Ref. to Finance GS 105

H 1756. VETERANS FREEDOM PARK FUNDS. *TO APPROPRIATE FUNDS TO ASSIST WITH CAPITAL EXPENSES OF THE VETERANS FREEDOM PARK.* Appropriates $500,000 for 2004-2005 from General Fund to Veterans Freedom Park Foundation, Inc., for capital expenses in establishing the Veterans Freedom Park in Cary. Effective July 1, 2004.
Intro. by Miner, Weiss.
Ref. to Appropriations LOCAL APPROP

H 1757. TEACHING FELLOWS ON FOCUSED GROWTH CAMPUSES. *TO EXPAND THE TEACHING FELLOWS PROGRAM TO EACH OF THE FOCUSED GROWTH INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA.* Amends GS 115C-363.23A(b) to direct the NC Teaching Fellows Comm'n to administer the Teaching Fellows Program in cooperation with teacher training institutions at each of the focused growth

institutions of UNC, as defined in GS 116-41.13A(1). Appropriates $225,000 for 2004-2005 from General Fund to UNC Board of Governors to provide start-up funds to three focused growth institutions that are not currently participating in the Teaching Fellows Program. Effective July 1, 2004.
Intro. by Lucas, Wainwright, Michaux, Adams.
Ref. to Appropriations GS 115C, APPROP

H 1758. TAX CUT ACT OF 2004. *TO REDUCE TAXES AND CUT GOVERNMENT SPENDING.* Advances sunset provision from July 1, 2005, to July 1, 2004, for Section 34.13(c) of SL 2001-424, which increased sales tax one-half cent. Amends GS 105-134.2 to reduce individual income tax for 2004 tax year by 8% of amount owed. Amends GS 105-130.3 to cut tax rate for C Corporations from 6.9% to 6.4% for 2004 tax year. For the period Sept. 30, 2004, to Oct. 1, 2005, changes quarterly allocation from Dep't of Revenue to Public School Building Capital Fund from five sixty-ninths of net collections to 7.82%. Directs the Director of Budget to reduce state spending by 3% and to find efficiencies in state agencies resulting in savings of at least $441,600,000.
Intro. by McHenry.
Ref. to Finance GS 105, 115C

H 1759. STATE EMPLOYEE PAY PERIODS. *PROVIDING THAT STATE EMPLOYEES IN GRADE 64 AND UNDER SHALL BE PAID ONCE EVERY TWO WEEKS.* Enacts new 126-8.4 and 126-5(c9) as title indicates. Further provides that every state employee over Pay Grade 64 shall be paid once per month. Effective July 1, 2004.
Intro. by Luebke, Womble.
Ref. to Rules GS 126

H 1760. NO CREDIT F0R NET JOB LOSS. *TO PROVIDE THAT THE RESEARCH AND DEVELOPMENT TAX CREDIT IS NOT ALLOWED TO EMPLOYERS WHO SUBSTANTIALLY REDUCE JOBS IN NORTH CAROLINA.* Amends GS 105-129.10 to specify that no credit is allowed under that section if the lowest number of the taxpayer's full time employees is more than 15% below the highest number of the taxpayer's employees at any time in previous five years. Effective for tax years beginning on or after Jan. 1, 2004.
Intro. by Luebke.
Ref. to Finance GS 105

H 1761. INCREASE WINE TAXES. *TO IMPOSE A SURTAX ON WINE.* Enacts new GS 105-113.80A as title indicates, imposing tax of 21 cents per liter on sale of unfortified wine and 24 cents per liter on the sale of fortified wine. Effective Oct. 1, 2004.
Intro. by Luebke.
Ref. to Finance GS 105

H 1762. AGRIBUSINESS & AGRICULTURAL FELLOWS PROG. *TO ESTABLISH AS A PILOT PROGRAM THE AGRIBUSINESS AND AGRICULTURE FELLOWS PROGRAM AND TO APPROPRIATE FUNDS TO IMPLEMENT THAT PILOT PROGRAM.* Appropriates $162,500 for 2004-2005 from General Fund to State Education Assistance Authority to fund 25 four-year undergraduate scholarship loans of $6,500 each. Requires that Authority adopt stringent standards for award of loans and that students must be NC residents who are pursuing an accredited agribusiness or agriculture bachelor's degree at NC institution. Those students who graduate with degree and work in agribusiness or agriculture field will be entitled to cancellation of an academic year's loan for each full year of employment. Students who do not complete degree or who work in another field are required to repay loan with interest of up to 15% annually. Provides that Authority shall administer program in consultation with NCSU. Effective July 1, 2004.
Intro. by Goodwin.
Ref. to Appropriations APPROP

H 1763. INCREASE REGULATION OF AMUSEMENT DEVICES. *TO INCREASE REGULATION OF THE POSSESSION OR OPERATION OF VIDEO GAMING MACHINES AND PROVIDING FUNDING FOR SUCH REGULATION.* Amends GS 14-306.1 to permit warehousing of video gaming machines in North Carolina, to preempt any local government from adopting more restrictive ordinances regulating video gaming devices, to transfer the responsibility for handling registration of the devices from sheriffs to the Alcohol Law Enforcement, to specify what must be included in the registration, to require all machines to have serial numbers permanently affixed to the machine, to prohibit the use of words jackpot, casino, or Las Vegas on the device or in sound systems in the devices, and to provide that ban on ownership or possession of devices upon conviction under GS

14-309 applies to convictions under subsection (b) of that statute. Amends GS 14-309 to make it a Class G felony to own or possess device that was not eligible for registration on Oct. 1, 2000. Amends GS 14-306 to require specified machines to be equipped with hand count feature that permits reconciliation of numbers of plays and number of paper coupons issued. Adds new GS 105-37.3 to impose privilege tax of $125 per quarter, beginning with third quarter of 2004; funds to be used by ALE to support enforcement and registration program. Effective Oct. 1, 2004.
Intro. by Culpepper, Harrell, G. Allen, Owens.
Ref. to Finance GS 14, 105

H 1764. PUBLIC CAMPAIGN FUND AMENDMENTS. *TO ESTABLISH A SURCHARGE ON MEMBERSHIP FEES FOR ATTORNEYS AND TO USE THE REVENUE TO SUPPORT THE FUND FOR ELECTION OF AN IMPARTIAL JUDICIARY; TO REMOVE THE ATTORNEY PRIVILEGE LICENSE TAX AS A MECHANISM FOR COLLECTING DONATIONS TO THE FUND; TO ALLOW THE STATE BOARD OF ELECTIONS TO ADMINISTER THE FUND OUT OF OTHER MONIES AVAILABLE TO IT; TO ALLOW CERTIFIED CANDIDATES TO RAISE FUNDS PRIVATELY IF PUBLIC FUNDS ARE INSUFFICIENT; TO ALLOCATE FIFTY CENTS TO SUPPORT PUBLICATION OF A VOTER GUIDE PER EACH TAXPAYER WHO NEITHER AGREES NOR OBJECTS TO DESIGNATING THREE DOLLARS FOR THE FUND; TO PROVIDE THAT THE FUND IS NOT AVAILABLE TO CANDIDATES IN PLURALITY ELECTIONS UNDER GS 163-329 AND THAT THOSE CANDIDATES ARE NOT SUBJECT TO LOWERED CONTRIBUTION LIMITS; TO ALTER THE TRIGGER FOR RESCUE FUNDS; TO PROVIDE THAT ADVISORY COUNCIL TERMS END DECEMBER 31; TO CHANGE THE NAME OF THE FUND TO "NORTH CAROLINA PUBLIC CAMPAIGN FUND," TO SET THE LIMIT OF THE CANDIDATE'S STATEMENT FOR THE JUDICIAL VOTER GUIDE AT 200 WORDS; AND TO MAKE TECHNICAL CORRECTIONS TO THE JUDICIAL CAMPAIGN REFORM ACT OF 2002.* Amends GS 84-34, 163-278.63(b), 105-41(a)(1), 163-278.63(a), 163–278.65(c), 105-159.2(a), and 163-278.61, -278.62(12), -278.13, -278.64(c), -278.66, -278.68(b), and -278.69(b)(7) as title indicates. Enacts new 163-278.64(f) limiting candidates to one Fund disbursement per year. Imposition of attorney fee surcharge of $50 effective Jan. 1, 2005; all other provisions effective when bill becomes law.
Intro. by Culpepper.
Ref. to Finance GS 84, 105, 163

H 1765. STUDY COMMISSION/PROMOTING PATIENT SAFETY. *TO ESTABLISH THE JOINT LEGISLATIVE COMMISSION ON PROMOTING PATIENT SAFETY IN THE PROVISION OF HEALTH CARE.* As title indicates. Comm'n to have 25 members; 11 appointed by Senate Pres. Pro Tem. from specified associations or its own membership, 11 by House Speaker and three by Governor. Comm'n to report no later than beginning of 2006 legislative session. Appropriates $50,000 to Legislative Services Comm'n to support work of the Comm'n. Effective July 1, 2004.
Intro. by L. Allen, England.
Ref. to Rules STUDY, APPROP

H 1766. STATEWIDE CRIM. JUSTICE TRUTH COMMISSION. *TO ESTABLISH A STATEWIDE CRIMINAL JUSTICE TRUTH COMMISSION, TO ESTABLISH LOCAL COMMISSIONS FOR CERTAIN JUDICIAL DISTRICTS, AND TO APPROPRIATE FUNDS TO IMPLEMENT THIS ACT.* Establishes the NC Criminal Justice Truth Commission to receive claims of prosecutorial misconduct, investigate credible claims, and take appropriate legal actions to remedy those claims that are meritorious. Comm'n to be comprised of eight members as follows: one superior court judge and one district court judge appointed by the Chief Justice of the Supreme Court, one district attorney and one public defender appointed by the Governor, two members of the State Bar appointed by the Speaker of the House, and two members of the State Bar appointed by the President Pro Tem. of the Senate. Comm'n may appoint a counsel and an executive secretary. Provides for the establishment of local criminal justice truth commissions. Appropriates $250,000 for 2004-2005 from General Fund to the comm'n to implement the act.
Intro. by Wright.
Ref. to Judiciary I GS 7A, APPROP

H 1767. ROCKINGHAM COUNTY LIBRARY FUNDING. *ALLOWING ROCKINGHAM COUNTY TO REDUCE ITS MAINTENANCE OF EFFORT REQUIREMENT FROM THE AID TO PUBLIC LIBRARIES FUND.* Provides that

Rockingham County may reduce its maintenance of effort requirement to receive state aid to $1,520, 465 for fiscal 2004-05. Effective July 1, 2004.
Intro. by Sexton, Cole.
Ref. to Appropriations APPROP

H 1768. ELIGIBILITY/FOSTER CARE STATE FUNDS PROGRAM. *TO INCLUDE AGAPE OF NORTH CAROLINA, INC., ON THE LIST OF AGENCIES ELIGIBLE TO RECEIVE FUNDING FROM THE STATE FUNDS PROGRAM.* Requires Dep't of Health and Human Services, Division of Social Services, to include Agape of North Carolina, Inc., on its list of member agencies eligible to receive funding from the State Funds Program.
Intro. by Jeffus.
Ref. to Rules APPROP

H 1769. CLARIFY SPECIAL MOBILE EQUIPMENT. *TO CLARIFY THAT SPECIAL MOBILE EQUIPMENT INCLUDES BUCKET TRUCKS AND DERRICK DIGGER TRUCKS.* Amends GS 105-164.3(41) as title indicates. Effective July I, 2004.
Intro. by LaRoque.
Ref. to Finance GS 105

H 1770. CHARTER SCHOOL GRANTS/MATCHING FUNDS. *TO APPROPRIATE FUNDS TO MATCH FEDERAL FUNDS RECEIVED BY THE STATE UNDER THE STATE CHARTER SCHOOL FACILITIES INCENTIVE GRANT PROGRAM.* Substantially similar to S 1386, introduced 5/27/04, except appropriates funds directly to a Reserve for Charter School Facilities rather than requiring State Board of Education to redirect to charter schools funds appropriated for State Aid to Local School Administrative Units. Appropriates $1 million for 2004-2005 from General Fund to State Board of Education for the Reserve for Charter School Facilities. Effective July 1, 2004.
Intro. by Baker .
Ref. to Appropriations GS 115C, APPROP

H 1771. ADEQUATE FUNDS FOR COMM. COLLEGE ENROLLMENT. *TO ENSURE THAT ADEQUATE FUNDS ARE AVAILABLE FOR COMMUNITY COLLEGE ENROLLMENT INCREASES.* Appropriates $2 million for 2004-2005 from General Fund to Community Colleges System Office to create contingency reserve funds for enrollment increases. Effective July 1, 2004.
Intro. by Baker.
Ref. to Appropriations APPROP

H 1772. COMPENSATE SWAIN FOR LOST PROPERTY TAXES. *TO PROVIDE ONETIME COMPENSATION TO SWAIN COUNTY FOR ITS LOSS OF AD VALOREM TAXES THAT DIRECTLY RESULTS FROM THE 2004 ACQUISITION OF SWAIN COUNTY PROPERTY BY THE STATE TO BE USED AS STATE GAME LANDS FOR OUTDOOR RECREATION.* Provides that the Clean Water Management Trust Fund may make a one-time grant to Swain County of $35,706 for 2004-05 and that the Ecosystem Enhancement Program in DENR may make a similar one-time grant of $40,264. Effective July 1, 2004.
Intro. by Haire.
Ref. to Rules APPROP

H 1773. FREE VETERAN'S DRIVERS LICENSE. *TO AUTHORIZE THE ISSUANCE OF A FREE DRIVERS LICENSE TO VETERANS.* Amends GS Ch. 20 by providing for the issuance of Class B or Class C drivers licenses to veterans without charge or fee. Defines "veteran" and directs commissioner of motor vehicles to promulgate rules to implement the act. Effective Jan. 1, 2005.
Intro. by Moore.
Ref. to Rules GS 20

H 1774. INVESTIGATE DEATH PENALTY ISSUES/FUNDS. *TO ESTABLISH THE SELECT COMMISSION TO INVESTIGATE DEATH PENALTY ISSUES AND TO APPROPRIATE FUNDS FOR THE COMMISSION.* As title indicates, establishes 31-member Comm'n which shall consider issues including the adequacy of counsel, the process for judicial review, racial discrimination in sentencing, and prosecutorial misconduct. Appropriates $100,000 for 2004-2005 from General Fund to General Assembly to be allocated to Comm'n.
Intro. by Sutton.
Ref. to Rules STUDY, APPROP

H 1775. MODIFY UNC SPECIAL OBLIGATION BONDS. *TO AUTHORIZE THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA TO ISSUE SPECIAL OBLIGATION BONDS FOR CERTAIN EQUIPMENT PROJECTS WITHOUT PRIOR APPROVAL OF THE GENERAL ASSEMBLY OR THE BOARD OF TRUSTEES OF THE INSTITUTION WHERE THE PROJECT IS LOCATED.* As title indicates. Limited to bonds where proceeds in the aggregate do not exceed 5% of the annual operating revenues of the institution for whose benefit the bonds are to be issued.
Intro. by McComas.
Ref. to Rules GS 116D

H 1776. UNC CONSTRUCTION SPECIFICATIONS. *TO ALLOW CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA TO ESTABLISH CAMPUS STANDARDS FOR BUILDING COMPONENTS BY CONDUCTING PUBLIC EVALUATION AND SELECTION PROCESSES AND THEREAFTER SPECIFYING THE COMPONENTS BY BRAND WHEN WRITING CONSTRUCTION SPECIFICATIONS.* Amends GS 133-3 to permit a constituent institution of UNC to establish construction specifications for building components and thereafter, without repeating the process, specify the components by brand in construction bid documents when doing so will further efficiency. Sets forth public process for implementing the provision.
Intro. by McComas.
Ref. to Rules GS 133

H 1777. STATE HELICOPTER BUDGET. *TO PLACE STRICTER RESTRICTIONS ON THE BUDGET AND OPERATING RULES FOR HELICOPTERS IN THE EXECUTIVE BRANCH.* Reduces the operating budget in the Executive Branch for helicopters by 10% for 2004-05. Directs Dep't of Commerce to adopt strict guidelines on use of state helicopters. No member, officer, or employee of the Legislative Branch shall use a state helicopter, except in an emergency. Restrictions do not apply to helicopters used for rescue work, by the national guard, or for health or emergency services in the UNC System. Effective July 1, 2004.
Intro. by Blust.
Ref. to Rules APPROP

H 1778. LOCAL SCHOOL CONSTRUCTION FINANCING STUDY (=S 1372). *TO ESTABLISH THE LOCAL SCHOOL CONSTRUCTION FINANCING STUDY COMMISSION.* Identical to S 1372, introduced 5/27/04.
Intro. by Yongue.
Ref. to Rules STUDY, APPROP

H 1779. FUNDS TO RELOCATE DISTRICT 9 FORESTRY OFFICE. *TO APPROPRIATE FUNDS TO RELOCATE THE DISTRICT 9 FORESTRY OFFICE IN JACKSON COUNTY.* Appropriates $1.5 million for 2004-2005 from General Fund to Dep't of Environment & Natural Resources as title indicates. Effective July 1, 2004.
Intro. by Haire.
Ref. to Appropriations APPROP

H 1780. AMEND LOBBYING LAWS. *AN ACT TO AMEND THE LOBBYING LAWS BY INCREASING THE INFORMATION REQUIRED TO BE REPORTED ON LOBBYING ACTIVITIES AND BY REQUIRING REGISTRATION AND REPORTING OF LOBBYING ACTIVITIES OF EXECUTIVE BRANCH AGENCIES AND EMPLOYEES, AND TO APPROPRIATE FUNDS TO IMPLEMENT THE ACT.* Amends Art. 9A of Ch. 120 of the GS as follows: (1) Amends GS 120-47.1 by (a) removing the exemption for prizes, awards or compensation totaling less than $100 in a calendar year from the definition of "contribution," "compensation," and "expenditure" in subsection (1); (b) adding the terms "executive action," "executive lobbyist," and "legislative lobbyist" to the list of defined terms; (c) adding consideration of any bill by the Governor for approval or veto to the definition of the term "legislative action"; (d) amending the term "lobbying" to include (i) influencing or attempting to influence legislative action through communication with a member of the staff or an employee of the General Assembly, and (ii) influencing or attempting to influence executive action; (e) amending the definition of the term "lobbyist" to include both executive lobbyists and legislative lobbyists. (2) Amends GS 120-47.2 and 120-47.3 by adding registration requirements for executive lobbyists. (3) Adds new GS 120-47.4A. prohibiting lobbyists or their principals from giving to any legislator, member of a legislator's immediate family, legislative staff person, legislative employee (a) gifts in excess of $25.00 in value; (b) gifts valued at $25.00 or less, unless the same types of gifts are given to every member of the General Assembly; (c) meals; (d) transportation expenses, except reasonable actual expenses; (e) tickets to any sporting or entertainment events; (f) speaking fees or honoraria except for reimbursement for reasonable actual expenses; (g) loans; and (h) contributions other than lawful

campaign contributions. (4) Amends GS 120-47.5 by adding new subsections (c) and (d) prohibiting lobbying fees contingent on executive actions and promises of election support to the Governor or a member of the Council of State. (5) Amends GS 120-47.6 and 120-47.7 by (a) adding requirements for executive lobbyists and their principals to file expense reports with the Secretary of State; (b) making changes to reporting requirements consistent with the amendments to GS 120-47.1 and GS 120-47.4A.; and (c) requiring that the expense reports include information concerning contractual arrangements in excess of $100.00 per year or direct business relationships between a legislator, a legislator's spouse or dependents and the lobbyist or the lobbyist's principal. (6) Adds new GS 120-47.7A. giving the Secretary of State the authority to audit lobbyists' expense reports. (7) Adds new GS 120-47.7B. prohibiting any legislator from (a) being employed as a lobbyist during any biennial legislative session to which the legislator was elected or appointed; and (b) from soliciting contributions or donations from lobbyists or their principals for any charitable, civic, or community project. (8) Makes technical changes to GS 120-47.8, which lists exemptions from the provisions of Art. 9A and adds one new exemption for persons responding to inquiries from an executive branch officer or employee who engages in no further activities as a lobbyist. (9) Adds new subsection (b) to GS 120-47.9 giving the Secretary of State the authority to levy civil fines for false or inadequate reporting of lobbying activities and expenses. (10) Adds new subsection (c) to GS 120-47.12 providing that all legislative liaisons and the State dep'ts or constituent University of North Carolina institutions that employ them report all lobbying expenses pursuant to new GS. 120-47.6 and 120-47.7. Amendments effective Jan. 1, 2005. Effective July 1, 2004, appropriates $200,000 from General Fund to Sec'y of State to implement amendments and $112,000 for implementation of electronic filing of lobbyists' reports.
Intro. by Hackney.
Ref. to Rules GS 120, APPROP

H 1781. COURT FEE CHANGES (=S 1332). *TO INCREASE AND ADJUST FEES IN THE GENERAL COURT OF JUSTICE.* Identical to S 1332, introduced 5/26/04.
Intro. by Alexander.
Ref. to Finance GS 7A

H 1782. ELIMINATE VACANT STATE POSITIONS. *ELIMINATING VACANT STATE GOVERNMENT POSITIONS AND SENDING THOSE FUNDS TO THE SAVINGS RESERVE ACCOUNT.* Eliminates all state government positions funded through the General Fund that are vacant on June 30, 2004, by transferring from various departments, agencies, and institutions the salary and benefits-related funding appropriated for positions vacant on that date. Credits savings from the elimination of positions to Savings Reserve Account. Excepts from transfer vacant-position-salary funds to be redirected and expended for: (1) state self-funded workers compensation claims, disability claims, and tort claims; (2) overtime and shift pay in the Dep'ts of Correction and Health and Human Services and any other state department, agency, or institution operating daily on a 24-hour basis; (3) non-personnel expenditures in Dep't of Correction including costs of (i) inmate medical care, (ii) misdemeanants jailed in county jails, (iii) pier diem expenses for state inmates held in local jails, (iv) funding related to private prisons, and (v) any needs deemed critical by dep't.
Intro. by Blust.
Ref. to Rules UNCODIFIED

H 1783. RECAPTURE REVERSIONS MONTHLY. *RELATING TO RECAPTURING REVERSIONS MONTHLY.* Establishes special, nonreverting fund entitled "Monthly Savings Fund" in the Office of State Budget and Management for amounts budgeted but not expended by state departments, agencies, and institutions. Requires each state department, agency, and institution, beginning July 1, 2004, to certify monthly the amount of funds budgeted but not expended for that month and prohibits the redirecting of these funds. Requires Office of State Budget and Management to confirm accuracy of certification before crediting amount to Monthly Savings Fund. Effective July 1, 2004.
Intro. by Blust.
Ref. to Rules UNCODIFIED

H 1784. WNC COMMUNITIES FUNDS. *TO APPROPRIATE FUNDS TO SUPPORT WNC COMMUNITIES.* Appropriates $100,000 for 2004-2005 from General Fund to support community needs of WNC Communities, a nonprofit organization serving 19 westernmost counties of NC and Cherokee Indian Reservation. Effective July 1, 2004.
Intro. by Goforth.
Ref. to Appropriations LOCAL APPROP

H 1785. AUTHORIZING CONSIDERATION OF BILL CONCERNING NOTARIES' FEES. *AUTHORIZING THE 2003 GENERAL ASSEMBLY, REGULAR SESSION 2004, TO CONSIDER A BILL TO BE ENTITLED AN ACT TO INCREASE THE FEE THAT MAY BE COLLECTED BY NOTARIES.* As title indicates.
Intro. by Earle.
Ref. to Ways & Means JOINT RES

H 1786. COACHING SCHOLARSHIP FUND. *TO ESTABLISH THE COACHING AND ASSISTANT COACHING SCHOLARSHIP FUND AND TO APPROPRIATE FUNDS TO IMPLEMENT THIS ACT.* Enacts new GS 116-209.36, establishing Coaching and Assistant Coaching Scholarship Fund, which provides scholarship loans to NC residents pursuing bachelor's degrees to become coaches in NC elementary or secondary schools. Appropriates $162,500 for 2004-2005 from General Fund to State Education Assistance Authority ("the Authority"), which is to administer scholarship fund. Fund provides 25 scholarship loans per year in the amount of $6,500 each. Recipients must: (1) be enrolled in an accredited bachelor's degree program in an NC college or university, (2) agree to accept employment in an NC elementary or secondary school, including employment in rural or other need-based counties, and (3) be a resident of NC, which shall be determined by the same standard as residency for tuition purposes. The Authority must develop additional criteria for awarding scholarship loans, which may include consideration of appropriate numbers of minority applicants and applicants from diverse socioeconomic backgrounds as well as applicants' academic qualifications and demonstrated commitment to coaching. Provides for the cancellation of loans to scholarship recipients earning bachelor's degrees and working as school coaches or coaching assistants in rural or need-based areas of NC. Each full year of employment cancels one academic year's loan. Loans to individuals who do not graduate or who graduate but do not work as a coaches or assistant coaches in rural or need-based areas of NC must be repaid with interest. The Authority may forgive or reduce any loan if extenuating circumstances make repayment impossible. The Authority must report to the Joint Legislative Education Oversight Committee by March 1 each year regarding the fund and scholarships awarded. Effective July 1, 2004.
Intro. by Goodwin.
Ref. to Education GS 116, APPROP

H 1787. LRC STUDY STATE HEALTH PLAN NEWBORN COVERAGE (=S 1421). *AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY CERTAIN ISSUES PERTAINING TO BENEFITS UNDER THE TEACHERS' AND STATE EMPLOYEE'S COMPREHENSIVE MAJOR MEDICAL PLAN.* Identical to S 1421, introduced 5/28/04.
Intro. by Insko.
Ref. to Rules STUDY

H 1788. AMEND LOBBYING LAW – 3(=H 1780). *AN ACT TO AMEND THE LOBBYING LAWS BY INCREASING THE INFORMATION REQUIRED TO BE REPORTED ON LOBBYING ACTIVITIES AND BY REQUIRING REGISTRATION AND REPORTING OF LOBBYING ACTIVITIES OF EXECUTIVE BRANCH AGENCIES AND EMPLOYEES, AND TO APPROPRIATE FUNDS TO IMPLEMENT THE ACT.* Identical to H 1780, introduced 5/31/04.
Intro. by Gibson.
Ref. to Rules GS 120, APPROP

H 1789. AMEND LOBBYING LAWS- 4 (=H 1780). *AN ACT TO AMEND THE LOBBYING LAWS BY INCREASING THE INFORMATION REQUIRED TO BE REPORTED ON LOBBYING ACTIVITIES AND BY REQUIRING REGISTRATION AND REPORTING OF LOBBYING ACTIVITIES OF EXECUTIVE BRANCH AGENCIES AND EMPLOYEES, AND TO APPROPRIATE FUNDS TO IMPLEMENT THE ACT.* Identical to H 1780, introduced 5/31/04.
Intro. by Blust.
Ref. to Rules GS 120, APPROP

H 1790. HISTORIC VEHICLES -- REDUCED REGISTRATION FEE. *AN ACT TO REDUCE THE ANNUAL REGISTRATION FEE FOR HISTORIC VEHICLES.* Amends GS 20-87 by adding new subsection (13) providing that the annual fee for a vehicle bearing a "Historic Vehicle Owner" special registration plate shall be $10.00.
Intro. by Allred.
Ref. to Finance GS 20

H 1791. MILITARY BUSINESS CENTER (=S 1350). *TO APPROPRIATE FUNDS FOR THE DEVELOPMENT OF A STATEWIDE MILITARY BUSINESS CENTER AND A HOMELAND SECURITY BUSINESS INCUBATOR.* Identical to S 1350, introduced 5/27/04.
Intro. by Dickson.
Ref. to Appropriations GS 66, APPROP

H 1792. LICENSE PLATE DESIGN CONTEST. *TO DIRECT THE COMMISSIONER OF MOTOR VEHICLES TO CONDUCT A CONTEST FOR THE DESIGN OF A NEW STANDARD MOTOR VEHICLE REGISTRATION PLATE.* Authorizes DMV to use up to $10,000 from the Special Registration Plate Account in 2004-05 as title indicates.
Intro. by Dickson.
Ref. to Rules APPROP

H 1793. DURHAM COUNTY FAMILY COURT FUNDS. *TO APPROPRIATE FUNDS FOR THE FAMILY COURT PILOT PROGRAM IN DISTRICT COURT DISTRICT 14.* Appropriates $160,000 for 2004-2005 from General Fund to Judicial Dep't as title indicates. Effective July 1, 2004.
Intro. by Luebke.
Ref. to Appropriations APPROP

H 1794. FUNDS FOR YOUTH DEVELOPMENT CENTERS. *TO APPROPRIATE FUNDS TO THE DEPARTMENT OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION FOR THE CONSTRUCTION OF YOUTH DEVELOPMENT CENTERS.* Appropriates $85,800,000 for 2004-2005 from General Fund to Dep't of Juvenile Justice and Del. Prevention as title indicates. Effective July 1, 2004.
Intro. by Luebke.
Ref. to Appropriations APPROP

H 1795. MODIFY YOUTH FACILITY DEBT AUTHORIZATION. *TO MODIFY THE AUTHORIZATION FOR SPECIAL INDEBTEDNESS FOR YOUTH DEVELOPMENT CENTERS.* As title indicates, amends GS 142-83 to reduce the amount of special indebtedness authorized for the construction of youth development centers to be operated by the Dep't of Juvenile Justice and Delinquency. Authorizes the construction of up to 13 centers with a cumulative total of 512 beds.
Intro. by Luebke.
Ref. to Finance APPROP

H 1796. FUND COMMUNITY-BASED CORRECTIONS PROGRAMS. *TO APPROPRIATE FUNDS FOR COMMUNITY-BASED CORRECTIONS PROGRAMS.* Appropriates from the General Fund for the 2004-2005 fiscal year: (1) $497,000 to the Dep't of Correction Criminal Justice Partnership Program; (2) $817,000 to the Judicial Dep't for drug treatment programs; (3) $2,190,000 to the Judicial Dep't, Office of Indigent Defense Services for sentencing services; (4) $50,000 to the Dep't of Correction Women at Risk program; and (5) $292,000 to the Dep't of Correction DART-Cherry program. Effective July 1, 2004.
Intro. by Luebke.
Ref. to Appropriations APPROP

H 1797. IMPROVE ENVIRONMENTAL QUALITY FUNDS. *TO IMPROVE THE QUALITY OF THE ENVIRONMENT IN THE STATE BY APPROPRIATING FUNDS TO IMPROVE IMPLEMENTATION OF THE SEDIMENTATION POLLUTION CONTROL ACT OF 1973, TO COMPLETE STATEWIDE INTERMITTENT AND PERENNIAL STREAM MAPPING, AND TO FULLY FUND THE NORTH CAROLINA ENVIRONMENT AND CLIMATE OBSERVING NETWORK.* As title indicates appropriates from the General Fund for the 2004-2005 fiscal year, (1) $1,500,000 to Dep't of Environment and Natural Resources, Division of Land Resources, for sedimentation pollution control; (2) $2,000,000 to the Dep't of Environment and Natural Resources, Division of Water Quality to complete stream mapping project; and (3) $600,000 to the Board of Governors of the University of North Carolina to implement the NC Environment and Climate Observing Network. Effective July 1, 2004.
Intro. by Luebke.
Ref. to Appropriations APPROP

H 1798. LOW EMISSION VEHICLES/FUNDS (=S 1376). *TO ESTABLISH THE NORTH CAROLINA LOW EMISSION VEHICLES PROGRAM.* Identical to S 1376, introduced 5/27/04.
Intro. by Luebke.
Ref. to Rules GS 20, 143, APPROP

H 1799. OPEN CRIMINAL DISCOVERY/FUNDS. *TO PROVIDE FAIR, EQUAL AND OPEN FILE CRIMINAL DISCOVERY AND TO APPROPRIATE FUNDS TO IMPLEMENT THIS ACT.* (1) Amends GS 15A-905 by adding new subsection (c) providing that if the court grants any relief sought by the defendant under GS 15A-903(d), it must, upon motion of the state, order the defendant to turn over to the state all materials set forth in subsections (a) and (b) prior to the last administrative setting before trial. (2) Adds new GS 15A-911 providing that (a) Art. 48 of Ch. 15A applies to all felonies within the original jurisdiction of superior court; (b) nothing requires either state or defense to make copies of any information inspected by either side; and (c) either state or defense may redact the addresses of witnesses prior to inspection by the other side. (3) Adds new GS 15A-912 requiring both state and defense to furnish to opposing counsel before trial names, current locations, dates of birth and telephone numbers of each side's respective witnesses, except that state shall only be required to furnish a law enforcement officer's current work location and phone number. (4) Adds new GS 15A-913 requiring both state and defense to produce for opposing counsel before trial, or at any postindictment pretrial evidentiary hearing, any statement of any witness that relates to the subject matter of the testimony of the witness that the party intends to call at trial or at postindictment pretrial evidentiary hearing. (5) Adds new GS 15A-914 providing that a defendant who intends to rely on an affirmative defense is not entitled to discovery from the state until the defense notifies the state in writing of the affirmative defense and the basis for its use. (6) Adds new GS 15A-915 providing that defendants who avail themselves of discovery from the state shall be deemed to have waived their rights to a probable cause hearing. (7) Appropriates $50,000 for fiscal 2004-2005 from General Fund to the Administrative Office of the Courts to implement the Act. Effective Dec. 1, 2004, and applies only to offenses committed on or after that date.
Intro. by Goforth.
Ref. to Rules GS 15A, APPROP

H 1800. OPEN DISCOVERY RULES/FUNDS. *AN ACT TO PROVIDE FOR OPEN DISCOVERY IN FELONIES AND TO MAKE CERTAIN OTHER AMENDMENTS TO THE LAWS REGARDING DISCOVERY IN CRIMINAL CASES AND TO APPROPRIATE FUNDS TO IMPLEMENT THIS ACT.* Rewrites provisions of Art. 48 of Ch. 15A governing discovery in criminal cases to implement new system of open-file discovery. Current Art. 48 requires the court upon motion of a defendant in a criminal case to order the state to disclose the following evidence: (1) relevant written, recorded and oral statements of the defendant; (2) statements of a co-defendant if the state intends to offer them in evidence in a joint trial; (3) defendant's prior record; (4) copies of physical or mental examinations or tests, measurements, or experiments made in connection with the case; and (5) certain DNA laboratory reports. In addition, current law requires prosecutors to make physical evidence available for inspection, examination, and testing by a defendant if the state intends to offer the evidence at trial. Current law does not require the state to produce statements of witnesses until after they testify at trial and specifies that reports, memoranda, and other internal documents made by the prosecutor, law enforcement officers, and others acting on behalf of the state in connection with the investigation or prosecution of a criminal case are not subject to disclosure.

Art. 48 as revised by this act requires the court upon motion by the defendant to order the state to make available complete files of all law enforcement and prosecutorial agencies involved in investigation of the crimes committed or the prosecution of the defendant. "File" is defined to include the defendant's statements, witness statements, investigating officer's notes, results of tests and examinations and any other matter or evidence obtained during the investigation of the alleged offense. Only written materials drafted by the prosecuting attorney and his legal staff are specifically exempted from the disclosure requirements. Revised Art. 48 also expands the requirements for disclosure by a defendant. A court must upon request by the state order a defendant granted open-file discovery to disclose: (1) documents, tangible objects, and reports of examinations and tests that the defendant "may" (currently, "intends to") introduce at trial; (2) notice of intent to offer a defense of duress, entrapment, insanity, mental infirmity, diminished capacity, self defense, accident, automatism, or involuntary or voluntary intoxication; (3) notice, reports, and curriculum vitae of expert witnesses; and (4) a written list of witnesses defendant may call at trial. At the state's request, a defendant must also provide notice of an alibi defense and the names of each alibi witness upon whom the defendant intends to rely. GS 15A-908 is amended to provide that a party may apply ex parte for a protective order restricting discovery and that the opposing party must receive notice of any ex parte order entered, without disclosure of the order's content.

Also amends provision of Art. 23 of Ch. 15A, governing police processing and duties upon arrest, to require law enforcement officers to make available to the prosecutor on a timely basis all materials and information

acquired in the course of all felony investigations. Appropriates $50,000 for 2004-2005 from General Fund to Administrative Office of the Courts to implement the act. Effective Oct. 1, 2004.
Intro. by Kiser.
Ref. to Rules GS 15A, APPROP

H 1801. EL PUEBLO SPECIAL REGISTRATION PLATE. *TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE "EL PUEBLO" SPECIAL REGISTRATION PLATES.* Amends GS 20-79.4(b) as title indicates. Money in the Collegiate and Cultural Attraction Plate Account derived from sale of El Pueblo plates shall be transferred to El Pueblo, Inc., for its scholarship fund.
Intro. by Brubaker, Luebke, McComas.
Ref. to Finance GS 20

H 1802. FILM INCENTIVES STUDY COMMISSION/FUNDS. *ESTABLISHING THE FILM INDUSTRY INCENTIVES STUDY COMMISSION.* Establishes the Film Industry Incentives Study Comm'n with 16 members to study options for long-term economic incentives for the NC film industry. Directs the Legislative Services Office to allocate $25,000 to implement the act from funds appropriated to the General Assembly. Effective July 1, 2004.
Intro. by McComas, Harrell.
Ref. to Rules STUDY, APPROP

CALENDAR ACTION
June 1, 2004

NOTES
1. Amendments and committee substitutes adopted today are summarized in the following section of today's Daily Bulletin.
2. The dates on which previous amendments or committee substitutes were adopted are listed below bill numbers.
3. The action "Cal Pursuant Rule 36b" indicates that the bill has been reported by committee and is awaiting calendaring by the Rules Committee.
4. Enacted bills are indicated by #, failed bills by *.

PUBLIC BILLS

H0354 AMEND DISABILITY LAWS	H	PLACED ON CAL FOR 6/2/2004
04-07-03, 07-20-03		
H1303 NONPROFITS EXEMPT FROM ADMISSIONS TAX.	H	FAIL CONCUR IN S AMEND #1
	H	CONF COM APPOINTED
06-23-03, 07-18-03, 07-19-03		
H1366 INVOLUNTARY COMMITMENT WARRANT	S	REC FROM HOUSE
CLARIFICATION.	S	REF TO COM ON JUDICIARY II
H1373 INCREASE PENALTY-TRANSIT OPERATOR	S	REC FROM HOUSE
ASSAULT.	S	REF TO COM ON JUDICIARY II
05-25-04		
H1413 TAX CREDIT FOR LONG-TERM CARE INSURANCE.	H	WITHDRAWN FROM COMM
	H	RE-REF COM ON FINANCE
H1420 REGIONAL AGENCY DEBT SETOFF.	H	PLACED ON CAL FOR 6/2/2004
H1430 IRC UPDATE.	H	PLACED ON CAL FOR 6/2/2004
05-27-04		
H1435 HONOR JAMES "WILLIE" YORK.	H	PLACED ON CAL FOR 6/2/2004
H1443 COMMERCE SERVICENTER.	H	PLACED ON CAL FOR 6/2/2004
05-27-04		
H1444 JDIG - ENCOURAGE USE OF NC SMALL	H	PLACED ON CAL FOR 6/2/2004
BUSINESSES.		
05-27-04		
H1456 SBE STUDY USE OF AT-RISK FUNDS.	H	PLACED ON CAL FOR 6/2/2004
05-26-04		
H1487 DHHS STUDY/MEDICAID INSTITUTIONAL BIAS.	H	REPTD WITHOUT PREJUDICE
	H	RE-REF COM ON APPROPRIATIONS
H1490 STUDY MENTALLY ILL LTC RESIDENT ISSUES.	H	REPTD WITHOUT PREJUDICE
	H	RE-REF COM ON APPROPRIATIONS

H1544	ENABLING RES/TERM. PAR. RIGHTS/MURDER OF PAR.	H REPTD FAV H CAL PURSUANT RULE 36(B)
H1574	LOWER HAW RIVER STATE NATURAL AREA.	HA REPTD FAV COM SUBSTITUTE H CAL PURSUANT RULE 36(B)
	06-01-04	
H1607	STATE NAT. & HIST. PRESERVE REMOVALS.	HA REPTD FAV COM SUBSTITUTE H CAL PURSUANT RULE 36(B)
	06-01-04	
S1054	INCREASE METHAMPHETAMINE PENALTIES.	S PASSED 2ND READING
	05-27-04	
S1128	LOCKSMITH CRIMINAL HISTORY RECORD CHECK FEE.	S PASSED 2ND & 3RD READING
	05-27-04	
S1218	CHILD RESTRAINT SYSTEMS MODIFIED.	S PASSED 2ND & 3RD READING
S1219	DRY CLEANING SOLVENT CLEANUP ACT AMENDMENTS.	S WITHDRAWN FROM COMM S RE-REF COM ON AGRICULTURE/ ENVIRONMENT/NATURAL RESOURCES
S1339	BEAUTIFY MALL/HONOR PURPLE HEART RECIPIENTS.	S REPTD FAV

LOCAL BILLS

H1363	LAKE TOXAWAY MOTOR VEHICLE REGULATION.	S REC FROM HOUSE S REF TO COM ON STATE GOVERNMENT, LOCAL GOVERNMENT, AND VETERANS' AFFAIRS
H1364	TRANSYLVANIA LAND ACQUISITION/ CONVEYANCE.	S REC FROM HOUSE S REF TO COM ON STATE GOVERNMENT, LOCAL GOVERNMENT, AND VETERANS' AFFAIRS
H1378	EDGECOMBE/WILSON DEEDS.	S REC FROM HOUSE S REF TO COM ON FINANCE
H1425	MORGANTON/BURKE/BROUGHTON MUTUAL AID/ WPCC	H PASSED 2ND & 3RD READING
	05-27-04	
H1454	CHOCOWINITY STAGGERED TERMS.	H PASSED 2ND & 3RD READING
	05-27-04	
H1462	SEVEN DEVILS-REGULATE GOLF CARTS/UTIL. VEH.	S REC FROM HOUSE S REF TO COM ON STATE GOVERNMENT, LOCAL GOVERNMENT, AND VETERANS' AFFAIRS
H1471	BAKERSVILLE DEANNEXATION.	H PASSED 2ND READING
H1474	YANCEY COUNTY CONSTRUCTION.	H PASSED 2ND & 3RD READING
	05-27-04	
H1475	BADIN SATELLITE ANNEXATION.	H PASSED 2ND READING
H1484	CLEVELAND COUNTY BOARD OF EDUCATION ELECTIONS.	H PASSED 2ND & 3RD READING
H1543	ASHEVILLE ABC BOARD MEMBERSHIP INCREASED.	H PASSED 2ND & 3RD READING
	05-27-04	
H1551	ASHEVILLE CIVIL SERVICE BOARD.	H PASSED 2ND & 3RD READING
H1553	GRIMESLAND BOUNDARY RESTATEMENT.	H PASSED 2ND READING
H1566	ABOLISH WILKES COUNTY CORONER.	S REC FROM HOUSE S REF TO COM ON STATE GOVERNMENT, LOCAL GOVERNMENT, AND VETERANS' AFFAIRS
H1640	DARE AFFORDABLE HOUSING FOR TEACHERS.	H PLACED ON CAL FOR 6/2/2004
	05-26-04	

S1033 TRANSYLVANIA LAND ACQUISITION/ CONVEYANCE.	S REPTD FAV COM SUBSTITUTE SA COM SUBSTITUTE ADOPTED
06-01-04	
S1060 TOWN OF FRANKLIN OCCUPANCY TAX.	S WITHDRAWN FROM CAL S PLACED ON CAL FOR 6/8/2004
S1093 EDGECOMBE/WILSON TAX CERTIFICATION.	SA AMEND ADOPTED # 1 S PASSED 2ND & 3RD READING S ENGROSSED
05-25-04, 06-01-04	
S1096 CONCORD/KANNAPOLIS BOUNDARIES ADJUSTED.	S PASSED 3RD READING
S1177 RANDLEMAN SATELLITE ANNEXATIONS.	S PASSED 3RD READING

SUMMARIES OF AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

S 1033. TRANSYLVANIA LAND ACQUISITION/CONVEYANCE. Intro. 5/11/04. Senate committee substitute makes the following changes to 1st edition. Adds new Section 1.(b) to proposed amendment of sec. 1 of Ch. 600 of the 1995 Session Laws, as amended. Grants the Town of Windsor the power to acquire real and personal property and to convey it to the state for use as a correctional facility.

S 1093. EDGECOMBE/WILSON TAX CERTIFICATION. Intro. 5/13/04. Senate amendment makes the following changes to 2nd edition. Changes title to *AN ACT TO ADD EDGECOMBE, NASH, AND WILSON COUNTIES TO THOSE COUNTIES AUTHORIZED TO USE A TAX CERTIFICATION PROCESS TO ASSIST IN THE COLLECTION OF DELINQUENT PROPERTY TAXES.* Adds Nash County to the bill.

HOUSE BILLS

H 1474. YANCEY COUNTY CONSTRUCTION. Intro. 5/17/04. House amendment makes the following changes to 2nd edition. Changes expiration date from Jan. 1, 2010, to Jan. 1, 2008.

H 1574. STATE PARKS SYSTEM ADDS. & STUDY (NEW). Intro. 05/20/04. House committee substitute makes the following changes to 1st edition. Changes title to *AN ACT TO AUTHORIZE THE ADDITION OF THE LOWER HAW RIVER STATE NATURAL AREA TO THE STATE PARKS SYSTEM, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, AND TO DIRECT THE DIVISION OF PARKS AND RECREATION OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO STUDY THE FEASIBILITY AND DESIRABILITY OF ESTABLISHING A STATE RECREATION AREA AT BLEWETT FALLS LAKE.* Makes changes as title indicates.

H 1607. STATE NAT. & HIST. PRESERVE REMOVALS. Intro. 05/20/04. House committee substitute makes the following changes to 1st edition. (1) Changes title to *AN ACT TO REMOVE A PORTION OF HEMLOCK BLUFFS STATE NATURAL AREA FROM THE STATE NATURE AND HISTORIC PRESERVE AND THE STATE PARKS SYSTEM TO PROVIDE A RIGHT-OF-WAY FOR THE WIDENING OF KILDAIRE FARM ROAD IN THE TOWN OF CARY, AND TO REMOVE THE HORNE CREEK LIVING HISTORICAL FARM LOCATED WITHIN PILOT MOUNTAIN STATE PARK FROM THE STATE PARKS SYSTEM IN ORDER TO ALLOW THE PROPERTY TO BE REALLOCATED TO THE DEPARTMENT OF CULTURAL RESOURCES FOR USE AS A STATE HISTORIC SITE, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.* (2) Makes technical changes.

LEGISLATION ENACTED

SL 2004-1 (H 1411). HATTERAS VILLAGE/TEMPORARY UNVEGETATED BEACH AREA. *AN ACT TO DESIGNATE AS TEMPORARY UNVEGETATED BEACH AREAS CERTAIN OCEANFRONT AREAS ON HATTERAS ISLAND WHERE THE VEGETATION LINE WAS DESTROYED BY HURRICANE ISABEL AND THE REMNANTS OF THE VEGETATION LINE WERE BURIED BY THE CONSTRUCTION OF AN EMERGENCY*

BERM, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION. Summarized in *Daily Bulletin* 5/12/04 and 5/13/04. Enacted May 26, 2004. Effective May 26, 2004.

SL 2004-2 (S 623). DOWNTOWN ADULT RESIDENTIAL FACILITY. *AN ACT TO PROVIDE FOR A SPECIAL DEADLINE FOR EXEMPT ADULT HOUSING FACILITIES LOCATED IN A DOWNTOWN AREA AND BEING RELOCATED DUE TO A MAJOR ECONOMIC DEVELOPMENT PROJECT.* Summarized in *Daily Bulletin* 5/13/04. Enacted May 26, 2004. Effective May 26, 2004.

NEXT SESSIONS

June 2, 2004

HOUSE convenes at 2:00 p.m.

SENATE convenes at 3:00 p.m.

41
5:2004/14

Daily Bulletin

ACTIONS BY THE NORTH CAROLINA GENERAL ASSEMBLY

Institute *of* Government—School of Government
The University of North Carolina at Chapel Hill
Legislative Reporting Service, Box 7294 State Legislative Building, Raleigh, NC 27601
Phone 919.733.2484 Fax 919.715.3464

House Legislative Day 118 Vol. 2004, No. 14 Senate Legislative Day 120

Wednesday, June 2, 2004

N.C. DOCUMENTS CLEARINGHOUSE
JUN 15 2004
STATE LIBRARY OF NORTH CAROLINA RALEIGH

BILLS INTRODUCED TODAY

NONE

CALENDAR ACTION
June 2, 2004

NOTES
1. Amendments and committee substitutes adopted today are summarized in the following section of today's Daily Bulletin.
2. The dates on which previous amendments or committee substitutes were adopted are listed below bill numbers.
3. The action "Cal Pursuant Rule 36b" indicates that the bill has been reported by committee and is awaiting calendaring by the Rules Committee.
4. Enacted bills are indicated by #, failed bills by *.

PUBLIC BILLS

H0354 AMEND DISABILITY LAWS	H	FAILED CONCUR IN COM SUB
	H	CONF COM APPOINTED
04-07-03, 07-20-03		
H1356 INCREASE FEES/QUALIFS. FOR DWI ASSESSMENTS.	S	REPTD FAV
	S	RE-REF COM ON FINANCE
H1420 REGIONAL AGENCY DEBT SETOFF.	H	PASSED 2ND & 3RD READING
H1430 IRC UPDATE.	H	PASSED 2ND READING
05-27-04		
H1435 HONOR JAMES "WILLIE" YORK.	H	PASSED 2ND & 3RD READING
	S	REC FROM HOUSE
	S	PLACED ON CAL FOR 6/2/2004
	S	PASSED 2ND & 3RD READING
H1443 COMMERCE SERVICENTER.	HA	AMEND ADOPTED #1
	H	FISCAL NOTE REQUESTED
	H	WITHDRAWN FROM CAL
	H	CAL PURSUANT RULE 36(B)
05-27-04, 06-02-04		
H1444 JDIG - ENCOURAGE USE OF NC SMALL BUSINESSES.	H	PASSED 2ND & 3RD READING
05-27-04		
H1456 SBE STUDY USE OF AT-RISK FUNDS.	H	PASSED 2ND & 3RD READING
05-26-04		

This publication is printed on permanent, acid-free paper in compliance with the North Carolina General Statutes.
Institute of Government—School of Government
The University of North Carolina at Chapel Hill
© 2004

H1463 HEALTH INSURANCE INNOVATIONS COMMISSION.	H	REPTD FAV
	H	CAL PURSUANT RULE 36(B)
H1465 ALLOW FAMILY BUSINESS TO LEASE FARMLAND.	S	REPTD FAV
	S	PLACED ON CAL FOR 6/8/2004
H1478 RETIREMENT/TEACHER EXCHANGE PROGRAMS.	H	REPTD FAV
	H	CAL PURSUANT RULE 36(B)
H1513 INCREASE LOCAL GOV'T DEATH BENEFIT.	H	REPTD FAV
	H	RE-REF COM ON APPROPRIATIONS
H1516 SECURITY OF STATE RETIREMENT SYSTEM.	HA	REPTD FAV COM SUBSTITUTE
	H	RE-REF COM ON APPROPRIATIONS
06-02-04		
H1518 REQUIRE PAYMENT OF RESTITUTION FOR EXPUNCTION.	H	REPTD FAV
	H	CAL PURSUANT RULE 36(B)
H1519 CRIME VICTIM FINANCIAL RECOVERY ASSIST. ACT.	HA	REPTD FAV COM SUBSTITUTE
	H	CAL PURSUANT RULE 36(B)
06-02-04		
H1544 ENABLING RES/TERM. PAR. RIGHTS/MURDER OF PAR.	H	PLACED ON CAL FOR 6/3/2004
H1550 MILITARY AFFAIRS COMM. MEMBERSHIP.	HA	REPTD FAV COM SUBSTITUTE
	H	CAL PURSUANT RULE 36(B)
06-02-04		
H1574 LOWER HAW RIVER STATE NATURAL AREA.	H	PLACED ON CAL FOR 6/3/2004
06-01-04		
H1607 STATE NAT. & HIST. PRESERVE REMOVALS.	H	PLACED ON CAL FOR 6/3/2004
06-01-04		
S0582 PUBLIC HEALTH PREPAREDNESS AND RESPONSE	HA	REPTD FAV COM SUBSTITUTE
	H	CAL PURSUANT RULE 36(B)
04-30-03, 06-02-04		
S0676 REVISE THE BANKING LAWS OF NORTH CAROLINA.	S	WITHDRAWN FROM COMM
	S	PLACED ON CAL FOR 6/3/2004
05-13-03, 07-10-03, 07-19-03		
S1054 INCREASE METHAMPHETAMINE PENALTIES.	S	WITHDRAWN FROM CAL
	S	RE-REF COM ON APPROPRIATIONS/ BASE BUDGET
05-27-04		
S1079 DOT RETIRED ENGINEERS.	S	REPTD FAV
	S	RE-REF COM ON PENSIONS & RETIREMENT AND AGING
S1085 DOT TECHNICAL CORRECTION.	S	REPTD FAV
S1092 VA-NC INTERSTATE HIGH-SPEED RAIL COMPACT.	S	REPTD FAV
S1144 "IN GOD WE TRUST" SPECIAL PLATES.	S	REPTD FAV AS AMENDED
	SA	COM AMEND ADPT & ENGROSS # 1
06-02-04		
S1148 CARE FOR THE MENTALLY ILL IN LTC FACILITIES.	S	REPTD FAV COM SUBSTITUTE
	SA	COM SUBSTITUTE ADOPTED
06-02-04		
S1159 MILITARY AFFAIRS COMM. MEMBERSHIP.	S	REPTD FAV COM SUBSTITUTE
	SA	COM SUBSTITUTE ADOPTED
06-02-04		
S1312 LOCAL GOV'T EMPLOYEES/457 PLAN.	S	REPTD FAV COM SUBSTITUTE
	SA	COM SUBSTITUTE ADOPTED
06-02-04		
S1339 BEAUTIFY MALL/HONOR PURPLE HEART RECIPIENTS.	S	PASSED 2ND & 3RD READING

LOCAL BILLS

H0057 RANDOLPH TDA.	S	REPTD FAV
H1425 MORGANTON/BURKE/BROUGHTON MUTUAL AID/ WPCC	S	REC FROM HOUSE
	S	REF TO COM ON STATE GOVERNMENT, LOCAL GOVERNMENT, AND VETERANS' AFFAIRS
05-27-04		
H1454 CHOCOWINITY STAGGERED TERMS.	S	REC FROM HOUSE
	S	REF TO COM ON STATE GOVERNMENT, LOCAL GOVERNMENT, AND VETERANS' AFFAIRS
05-27-04		
H1471 BAKERSVILLE DEANNEXATION.	H	PASSED 3RD READING
H1474 YANCEY COUNTY CONSTRUCTION.	S	REC FROM HOUSE
	S	REF TO COM ON STATE GOVERNMENT, LOCAL GOVERNMENT, AND VETERANS' AFFAIRS
05-27-04, 06-01-04		
H1475 BADIN SATELLITE ANNEXATION.	H	PASSED 3RD READING
H1484 CLEVELAND COUNTY BOARD OF EDUCATION ELECTIONS.	S	REC FROM HOUSE
	S	REF TO COM ON STATE GOVERNMENT, LOCAL GOVERNMENT, AND VETERANS' AFFAIRS
H1543 ASHEVILLE ABC BOARD MEMBERSHIP INCREASED.	S	REC FROM HOUSE
	S	REF TO COM ON STATE GOVERNMENT, LOCAL GOVERNMENT, AND VETERANS' AFFAIRS
05-27-04		
H1547 CHAPEL HILL OPEN SPACE.	HA	REPTD FAV COM SUBSTITUTE
	H	CAL PURSUANT RULE 36(B)
	H	PLACED ON CAL FOR 6/3/2004
06-02-04		
H1551 ASHEVILLE CIVIL SERVICE BOARD.	S	REC FROM HOUSE
	S	REF TO COM ON STATE GOVERNMENT, LOCAL GOVERNMENT, AND VETERANS' AFFAIRS
H1553 GRIMESLAND BOUNDARY RESTATEMENT.	H	PASSED 3RD READING
H1564 CHARLOTTE REGIONAL VISITORS AUTHORITY.	H	REPTD FAV
	H	CAL PURSUANT RULE 36(B)
	H	PLACED ON CAL FOR 6/3/2004
H1569 COLUMBUS COUNTY SERVICE FEES.	H	REPTD FAV
	H	CAL PURSUANT RULE 36(B)
	H	PLACED ON CAL FOR 6/3/2004
H1604 GREENSBORO CLAIM SETTLEMENTS.	H	REPTD FAV
	H	CAL PURSUANT RULE 36(B)
	H	PLACED ON CAL FOR 6/3/2004
H1608 GREENSBORO ORDINANCE PUBLICATION.	HA	REPTD FAV COM SUBSTITUTE
	H	CAL PURSUANT RULE 36(B)
	H	PLACED ON CAL FOR 6/3/2004
06-02-04		
H1614 LENOIR ABC PROFIT DISTRIBUTIONS TO BE ANNUAL.	H	REPTD FAV
	H	CAL PURSUANT RULE 36(B)
	H	PLACED ON CAL FOR 6/3/2004
H1640 DARE AFFORDABLE HOUSING FOR TEACHERS.	H	PASSED 2ND & 3RD READING
05-26-04		

H1666 GARNER/UNSAFE RESIDENTIAL BUILDINGS.	H	REPTD FAV
	H	CAL PURSUANT RULE 36(B)
	H	PLACED ON CAL FOR 6/3/2004
S1033 TRANSYLVANIA LAND ACQUISITION/ CONVEYANCE.	S	WITHDRAWN FROM CAL
	S	PLACED ON CAL FOR 6/8/2004
06-01-04		
S1122 CHAPEL HILL SCHOOL SITES.	HA	REPTD FAV COM SUBSTITUTE
	H	CAL PURSUANT RULE 36(B)
06-02-04		
S1133 MISENHEIMER MUNICIPAL ELECTIONS.	S	REPTD FAV
S1181 MODIFY ALLEGHANY OCCUPANCY TAX .	S	REPTD FAV AS AMENDED
	SA	COM AMEND ADPT & ENGROSS # 1
06-02-04		
S1189 EXPAND CHADBOURN ETJ.	H	REPTD FAV
	H	CAL PURSUANT RULE 36(B)
S1201 ROBESON/NO HUNTING OR FISHING FROM ROADWAYS.	S	REPTD FAV
S1316 MOUNT PLEASANT ANNEXATION.	S	REPTD FAV
S1343 WHITEVILLE ANNEXATION.	S	REPTD FAV

SUMMARIES OF AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

S 582. PUBLIC HEALTH PREPAREDNESS AND RESPONSE (NEW). Intro. 5/31/03. Senate committee substitute makes the following changes to 2nd edition. Deletes all provisions of previous bill and replaces them with *AN ACT TO IMPROVE PUBLIC HEALTH PREPAREDNESS AND RESPONSE*. Amends definition of "isolation authority" to permit isolation orders to be issued to persons or animals suspected of being infected with a communicable disease or condition (current law permits such orders only if the person or animal has the disease or condition). Requires officials who issue orders that limit a person's or animal's freedom of movement to give reasonable notice to the substantially affected person of his right to have a court review the order. Under current law, orders limiting freedom of movement are effective for a maximum of 10 days unless they are reviewed and extended by a court. Extends the maximum period before court review is required to 30 days. Provides for automatic termination of such orders upon written determination by the state or local health director that limitation of freedom of movement is no longer necessary to protect the public health. Permits a court to order an extension of such an order for up to 30 days, or up to one year if the person subject to the order has tuberculosis. Provides that local health departments may disclose patient information only as authorized or required by state or federal law. Clarifies that information may be disclosed for purposes of treatment, payment, and health care operations. Authorizes state health director to issue a temporary order requiring health care providers to report specified health information when necessary for the investigation or monitoring of a communicable disease that presents a danger to the public health. Authorizes the state or local health director to examine and copy medical records pertaining to the investigation of an outbreak of a communicable disease or an illness caused by bioterrorism.

S 1122. CHAPEL HILL SCHOOL SITES. Intro. 5/17/04. House committee substitute makes the following changes to 1st edition. Clarifies that act applies to special use permits and site plan developments approved on or after effective date of act.

S 1148. CARE FOR THE MENTALLY ILL IN LTC FACILITIES. Intro. 5/18/04. Senate committee substitute makes the following changes to 1st edition. Directs DHHS to implement Section 2 of act immediately.

S 1159. MILITARY AFFAIRS COMM. MEMBERSHIP. Intro. 5/19/04. Senate committee substitute makes technical change to 1st edition.

S 1312. LOCAL GOV'T EMPLOYEES/457 PLAN. Intro. 5/25/04. Senate committee substitute makes the following changes to 1st edition. Reserves one position on Board of Trustees of the NC Public Employee Deferred

Compensation Plan ("Board") for a local government or community college employee. Authorizes per diem for Board members who are local government employees and are not otherwise reimbursed. Makes technical changes.

HOUSE BILLS

H 1443. COMMERCE SERVICE CENTER. Intro. 5/13/04. House amendment makes the following changes to 2nd edition. Requires the Small Business Ombudsman to work with small businesses to ensure they receive timely answers to questions and timely resolution of issues involving state government. Authorizes ombudsman, on behalf of a business, to ask a state agency about the status of a business's inquiry and to convene representatives of state agencies to discuss issues raised by a business.

H 1516. SECURITY OF STATE RETIREMENT SYSTEM. Intro. 5/19/04. House committee substitute changes 1st edition by correcting statute cited in act relating to pension accumulation fund from GS 135-8(a) to GS 135-8(d).

H 1519. CRIME VICTIM FINANCIAL RECOVERY ASSIST. ACT. Intro. 5/19/04. House committee substitute makes the following changes to 1st edition. Provides that penalties assessed by Crime Victims Compensation Commission (Comm'n) shall bear interest at the legal rate (was 1 percent). Eliminates requirement to publish legal notice of offenders' profits from crime and permits Comm'n to provide for additional notice as it deems necessary. Makes technical changes.

H 1547. CHAPEL HILL OPEN SPACE/DEVELOPMENT RIGHTS. Intro. 5/20/04. House committee substitute makes the following changes to 1st edition. Changes title to *AN ACT TO ALLOW THE TOWN OF CHAPEL HILL TO PURCHASE ADDITIONAL LAND FOR OPEN SPACE OUTSIDE ITS JURISDICTION AND TO GRANT SEVERABLE DEVELOPMENT RIGHTS WITHIN ITS JURISDICTION.* Adds subsection (b) to GS 160A-403, which specifies that a city may acquire an interest in undeveloped real property (was simply real property) beyond its jurisdiction. Amends GS 160A-381 by adding a new subdivision (a1) permitting a city to grant severable development rights for property within its jurisdiction in exchange for the acquisition or preservation of undeveloped real property in a nearby rural area in the same county.

H 1550. MILITARY AFFAIRS COMM. MEMBERSHIP. Intro. 5/20/04. House committee substitute makes technical change to 1st edition.

H 1608. GREENSBORO ORDINANCE PUBLICATION. Intro. 5/20/04. House committee substitute makes technical change to 1st edition.

NEXT SESSIONS

June 3, 2004

HOUSE convenes at 12:00 noon.

SENATE convenes at 11:00 a.m.

2004/15

Daily Bulletin

ACTIONS BY THE NORTH CAROLINA GENERAL ASSEMBLY

Institute *of* Government—School of Government
The University of North Carolina at Chapel Hill
Legislative Reporting Service, Box 7294 State Legislative Building, Raleigh, NC 27601
Phone 919.733.2484 Fax 919.715.3464

House Legislative Day 119 Vol. 2004, No. 15 Senate Legislative Day 121

Thursday, June 3, 2004

N.C. DOCUMENTS CLEARINGHOUSE

JUN 15 2004

STATE LIBRARY OF NORTH CAROLINA RALEIGH

BILLS INTRODUCED TODAY

NONE

CALENDAR ACTION
June 3, 2004

NOTES
1. Amendments and committee substitutes adopted today are summarized in the following section of today's Daily Bulletin.
2. The dates on which previous amendments or committee substitutes were adopted are listed below bill numbers
3. The action "Cal Pursuant Rule 36b" indicates that the bill has been reported by committee and is awaiting calendaring by the Rules Committee.
4. Enacted bills are indicated by #, failed bills by *.

PUBLIC BILLS

H1430 IRC UPDATE.	H	PASSED 3RD READING
05-27-04		
#H1435 HONOR JAMES "WILLIE" YORK.	H	RATIFIED
	HR	CH. RES 2004-2
H1498 STUDY COMMITTEE ON HEALTH CARE WORKFORCE DEV.	H	WITHDRAWN FROM COMM
	H	RE-REF COM ON RULES, CALENDAR, AND OPERATIONS OF THE HOUSE
H1544 ENABLING RES/TERM. PAR. RIGHTS/MURDER OF PAR.	H	PASSED 2ND & 3RD READING
H1549 IN-STATE TUITION FOR MILITARY RESERVISTS.	HA	REPTD FAV COM SUBSTITUTE
	H	CAL PURSUANT RULE 36(B)
06-03-04		
H1574 LOWER HAW RIVER STATE NATURAL AREA.	H	PASSED 2ND & 3RD READING
06-01-04		
H1607 STATE NAT. & HIST. PRESERVE REMOVALS.	H	PASSED 2ND READING
	H	PASSED 3RD READING
06-01-04		
H1699 UNC NONAPPROPRIATED CAPITAL PROJECTS.	H	WITHDRAWN FROM COMM
	H	RE-REF COM ON FINANCE
S0486 AMBER ALERT.	HA	REPTD FAV COM SUBSTITUTE
	H	CAL PURSUANT RULE 36(B)
04-14-03, 06-03-04		

This publication is printed on permanent, acid-free paper in compliance with the North Carolina General Statutes
Institute of Government—School of Government
The University of North Carolina at Chapel Hill

© 2004

S0582 PUBLIC HEALTH PREPAREDNESS AND RESPONSE	H	WITHDRAWN FROM CAL
	H	RE-REF COM ON RULES, CALENDAR, AND OPERATIONS OF THE HOUSE
04-30-03, 06-02-04		
S0676 REVISE THE BANKING LAWS OF NORTH CAROLINA.	S	FAILED CONCUR IN COM SUB
	S	CONF COM APPOINTED
05-13-03, 07-10-03, 07-19-03		
S1085 DOT TECHNICAL CORRECTION.	S	PASSED 2ND & 3RD READING
S1092 VA-NC INTERSTATE HIGH-SPEED RAIL COMPACT.	S	PASSED 2ND & 3RD READING
S1118 RETIRED HIGHWAY PATROL SPOUSES SPECIAL PLATE.	S	REPTD FAV COM SUBSTITUTE
	SA	COM SUBSTITUTE ADOPTED
06-03-04		
S1128 LOCKSMITH CRIMINAL HISTORY RECORD CHECK FEE.	H	REC FROM SENATE
	H	REF TO COM ON FINANCE
05-27-04		
S1144 "IN GOD WE TRUST" SPECIAL PLATES.	S	PASSED 2ND & 3RD READING
06-02-04		
S1148 CARE FOR THE MENTALLY ILL IN LTC FACILITIES.	S	PASSED 2ND & 3RD READING
06-02-04		
S1159 MILITARY AFFAIRS COMM. MEMBERSHIP.	S	PASSED 2ND & 3RD READING
06-02-04		
S1218 CHILD RESTRAINT SYSTEMS MODIFIED.	H	REC FROM SENATE
	H	REF TO COM ON CHILDREN, YOUTH AND FAMILIES
S1254 RESPIRATORY CARE BD/BACKGROUND CHECKS/ FEES.	S	REPTD FAV COM SUBSTITUTE
	SA	COM SUBSTITUTE ADOPTED
06-03-04		
S1312 LOCAL GOV'T EMPLOYEES/457 PLAN.	S	PASSED 2ND & 3RD READING
06-02-04		

LOCAL BILLS

H0057 RANDOLPH TDA.	S	PASSED 2ND & 3RD READING
H1369 EMERALD ISLE ANNEXATION.	H	REPTD FAV
	H	CAL PURSUANT RULE 36(B)
H1385 WASHINGTON/CRESWELL SATELLITE ANNEXATIONS.	HA	REPTD FAV COM SUBSTITUTE
	H	CAL PURSUANT RULE 36(B)
06-03-04		
H1547 CHAPEL HILL OPEN SPACE.	H	PASSED 2ND & 3RD READING
06-02-04		
H1564 CHARLOTTE REGIONAL VISITORS AUTHORITY.	H	PASSED 2ND & 3RD READING
H1569 COLUMBUS COUNTY SERVICE FEES.	H	PASSED 2ND & 3RD READING
H1588 MONROE CLAIMS SETTLEMENT.	HA	REPTD FAV COM SUBSTITUTE
	H	CAL PURSUANT RULE 36(B)
06-03-04		
H1589 MONTGOMERY COMMISSIONER ELECTIONS.	HA	REPTD FAV COM SUBSTITUTE
	H	CAL PURSUANT RULE 36(B)
06-03-04		
H1593 SWANSBORO ANNEXATION.	H	REPTD FAV
	H	CAL PURSUANT RULE 36(B)
H1604 GREENSBORO CLAIM SETTLEMENTS.	H	PASSED 2ND & 3RD READING
H1608 GREENSBORO ORDINANCE PUBLICATION.	H	PASSED 2ND & 3RD READING
06-02-04		

H1614 LENOIR ABC PROFIT DISTRIBUTIONS TO BE ANNUAL.	H	PASSED 2ND & 3RD READING
H1619 ELIZABETHTOWN CHARTER AMENDMENTS.	HA	REPTD FAV COM SUBSTITUTE
	H	CAL PURSUANT RULE 36(B)
06-03-04		
H1666 GARNER/UNSAFE RESIDENTIAL BUILDINGS.	H	PASSED 2ND & 3RD READING
H1670 NEWTON FORCE ACCOUNT.	HA	REPTD FAV COM SUBSTITUTE
	H	CAL PURSUANT RULE 36(B)
06-03-04		
H1674 ZEBULON CHARTER AMENDMENT.	HA	REPTD FAV COM SUBSTITUTE
	H	CAL PURSUANT RULE 36(B)
06-03-04		
H1678 NORWOOD ANNEXATIONS.	H	REPTD FAV
	H	CAL PURSUANT RULE 36(B)
H1732 SOUTHPORT WARD BOUNDARIES.	H	REPTD FAV
	H	CAL PURSUANT RULE 36(B)
S1093 EDGECOMBE/WILSON TAX CERTIFICATION.	H	REC FROM SENATE
	H	REF TO COM ON LOCAL GOVERNMENT II
05-25-04, 06-01-04		
S1096 CONCORD/KANNAPOLIS BOUNDARIES ADJUSTED.	H	REC FROM SENATE
	H	REF TO COM ON FINANCE
S1133 MISENHEIMER MUNICIPAL ELECTIONS.	S	PASSED 2ND & 3RD READING
S1177 RANDLEMAN SATELLITE ANNEXATIONS.	H	REC FROM SENATE
	H	REF TO COM ON RULES, CALENDAR, AND OPERATIONS OF THE HOUSE
S1181 MODIFY ALLEGHANY OCCUPANCY TAX .	S	WITHDRAWN FROM CAL
	S	PLACED ON CAL FOR 6/15/2004
06-02-04		
S1201 ROBESON/NO HUNTING OR FISHING FROM ROADWAYS.	S	PASSED 2ND & 3RD READING
S1309 APEX CONDITIONAL ZONING/ROADS.	S	REPTD FAV COM SUBSTITUTE
	SA	COM SUBSTITUTE ADOPTED
06-03-04		
S1316 MOUNT PLEASANT ANNEXATION.	S	WITHDRAWN FROM CAL
	S	PLACED ON CAL FOR 6/9/2004
S1343 WHITEVILLE ANNEXATION.	S	PASSED 2ND READING

SUMMARIES OF AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

S 486. CUSTOMER INQUIRIES/INSURANCE COVERAGE (NEW). Intro. 3/20/03. House committee substitute makes the following changes to 2nd edition. Deletes previous edition in its entirety and instead amends Art. 36 of Ch. 58 by adding new section 58-36-115, which prohibits insurers writing residential real property insurance from using policyholder inquiries that do not result in claims to terminate a policy, refuse to issue or renew a policy, or subject the policy to a consent to rate. Effective date Oct. 1, 2004.

S 1118. SPECIAL LICENSE PLATES (NEW). Intro. 5/17/04. Senate committee substitute makes the following changes to 1st edition. Changes title to *AN ACT TO AUTHORIZE DMV TO ISSUE A RETIRED HIGHWAY PATROL SPECIAL PLATE TO THE SURVIVING SPOUSES OF RETIRED HIGHWAY PATROLMEN AND TO ISSUE A 4-H SPECIAL REGISTRATION PLATE AND A HIGH SCHOOL INSIGNIA PLATE.* Makes stylistic changes to GS 20-79.4(b)(36a) and adds requirement that surviving spouses of highway patrol retirees be authorized to bear a "SHP, Retired" plate only so long and they renew the plate and do not remarry. Other changes to GS 20-79(b), GS 20-79.7(a) and (b), and GS 20-81.12 as title indicates.

S 1181. MODIFY ALLEGHANY OCCUPANCY TAX. Intro. 5/20/04. Senate committee amendment adopted 6/2/04 makes the following changes to 1st edition. Amends definition of "tourism-related expenditures" by deleting the phrase "Tourism Development Authority" and substituting the phrase "entity responsible for expending the net proceeds of the tax."

S 1254. RESPIRATORY CARE BD/BACKGROUND CHECKS/FEES. Intro. 5/24/04. Senate committee substitute makes the following changes to 1st edition. Requires the Respiratory Care Board to collect and remit to the Dep't of Justice fees imposed by the Dep't for expenses associated with criminal history record checks.

S 1309. APEX CONDITIONAL ZONING/ROADS. Intro. 5/25/04. Senate committee substitute makes the following changes to 1st edition. Deletes previous sec. 2 authorizing the Town of Apex to appropriate funds not otherwise limited by law for improvements to roads outside the corporate limits that are owned by the state and maintained by the Dep't of Transportation. Adds new sec. 2, which amends sec. 3 of S.L. 2001-245, allowing for appropriation of funds for improvement to roads outside the corporate limits provided they are owned by the state and maintained by the Dep't of Transportation, by extending the applicability of the act to Apex.

HOUSE BILLS

H 1385. WASHINGTON/CRESWELL/WALLACE SATELLITE ANNEX. Intro. 5/12/04. House committee substitute makes the following changes to 1st edition. Changes title to *AN ACT TO REMOVE THE CAP ON SATELLITE ANNEXATIONS BY THE CITY OF WASHINGTON AND THE TOWNS OF CRESWELL AND WALLACE.* Changes as title indicates.

H 1549. IN-STATE TUITION FOR MILITARY RESERVISTS. Intro. 5/20/04. House committee substitute makes the following changes to 1st edition. Rewrites title of bill to read *TO AUTHORIZE IN-STATE TUITION FOR MEMBERS OF THE RESERVE COMPONENTS WHO ARE ASSIGNED TO UNITS LOCATED IN NORTH CAROLINA AND TO CLARIFY DISCRIMINATION AGAINST PERSONS WHO SERVE IN THE NORTH CAROLINA NATIONAL GUARD.* Amends GS 127A-202.1 by adding subsection (f), which provides that the section applies when an NC National Guard member is called to active duty.

H 1588. MONROE CLAIMS SETTLEMENT. Intro. 5/20/04. House committee substitute makes the following changes to 1st edition. Makes technical changes only.

H 1589. MONTGOMERY COMMISSIONER ELECTIONS. Intro. 5/20/04. House committee substitute makes the following changes to 1st edition. Amends sec. 11 to specify the procedures to be followed in primary elections for the county board of commissioners when more than one person is seeking election to a single office, when more persons are seeking nomination to two or more offices than there are offices to be filled, and when two or more candidates receive the same number of votes. Also amends sec. 15 to provide that the effective date of sec. 11 shall be Jan. 1, 2006.

H 1619. ELIZABETHTOWN CHARTER AMENDMENTS. Intro. 5/24/04. House committee substitute makes the following changes to 1st edition. Amends town charter to increase number of commissioners from three to six and eliminates the positions of town constable and treasurer as officers of town. Makes technical changes.

H 1670. NEWTON FORCE ACCOUNT. Intro. 5/26/04. House committee substitute makes the following changes to 1st edition. Changes proposed amendment to GS 143-135 to increase the force account limit from $700,000 to $860,000. Changes the act's expiration date from Sept. 30, 2005, to Dec. 30, 2006.

H 1674. ZEBULON CHARTER AMENDMENT. Intro. 5/26/04. House committee substitute makes the following changes to 1st edition. Makes technical changes only.

NEXT SESSIONS

June 7, 2004

HOUSE convenes at 5:00 p.m.

SENATE convenes at 7:00 p.m.

: 2004 | 16

N.C. DOCUMENTS CLEARINGHOUSE

Daily Bulletin

STATE LIBRARY OF NORTH CAROLINA RALEIGH

ACTIONS BY THE NORTH CAROLINA GENERAL ASSEMBLY

Institute *of* Government—School of Government
The University of North Carolina at Chapel Hill
Legislative Reporting Service, Box 7294 State Legislative Building, Raleigh, NC 27601
Phone 919.733.2484 Fax 919.715.3464

House Legislative Day 120 Vol. 2004, No. 16 Senate Legislative Day 122

Monday, June 7, 2004

BILLS INTRODUCED TODAY

BILL #	SHORT TITLE	IDEN	COMMITTEE	GS INDEX
H 1803	HONORING MEMORY OF SERVICEMEN KILLED IN ACTION ON D-DAY		PLACED ON CAL FOR 6/8/04	HOUSE RES

SUMMARIES OF BILLS INTRODUCED TODAY

HOUSE BILLS

H 1803. HONORING MEMORY OF SERVICEMEN KILLED IN ACTION ON D-DAY. *HONORING THE MEMORY OF THE SERVICEMEN WHO LOST THEIR LIVES ON D-DAY AND EXPRESSING APPRECIATION TO NORTH CAROLINA'S D-DAY VETERANS ON THE 60TH ANNIVERSARY OF D-DAY.* As title indicates.
Intro. by Gorman, Eddins, Wainwright, Warner.
Placed on Calendar for 6/8/04 HOUSE RES

CALENDAR ACTION
June 7, 2004

NOTES
1. Amendments and committee substitutes adopted today are summarized in the following section of today's Daily Bulletin.
2. The dates on which previous amendments or committee substitutes were adopted are listed below bill numbers.
3. The action "Cal Pursuant Rule 36b" indicates that the bill has been reported by committee and is awaiting calendaring by the Rules Committee.
4. Enacted bills are indicated by #, failed bills by *.

PUBLIC BILLS

H1414 2004 APPROPRIATIONS ACT - 1.

HF REPTD UNFAV
HA REPTD FAV COM SUBSTITUTE
H CAL PURSUANT RULE 36(B)
H PLACED ON CAL FOR 6/7/2004
HA AMEND ADOPTED #2
HA AMEND ADOPTED #3
H AMEND FAILED #5
HA AMEND ADOPTED #6

This publication is printed on permanent, acid-free paper in compliance with the North Carolina General Statutes.
Institute of Government—School of Government
The University of North Carolina at Chapel Hill
© 2004

	HA AMEND ADOPTED #7
	HA AMEND ADOPTED #10
	H AMEND FAILED #8
	H AMEND FAILED #11
	HA AMEND ADOPTED #12
	H AMEND FAILED #9
	H AMEND FAILED #4
	HA AMEND ADOPTED #13
	H PASSED 2ND READING
06-07-04	
H1775 MODIFY UNC SPECIAL OBLIGATION BONDS.	H WITHDRAWN FROM COMM
	H RE-REF COM ON FINANCE
H1803 D-DAY ANNIVERSARY.	H CAL PURSUANT RULE 36(B)
	H PLACED ON CAL FOR 6/8/2004
S1078 VEHICLE CONTROL SIGNS AND SIGNALS.	S REPTD FAV COM SUBSTITUTE
	SA COM SUBSTITUTE ADOPTED
06-07-04	
S1083 STAGGERED ISSUANCE-COMMERCIAL/DEALER PLATES.	S REPTD FAV
S1086 PUBLIC TRANSIT DECELERATION LAMPS.	S REPTD FAV COM SUBSTITUTE
	SA COM SUBSTITUTE ADOPTED
06-07-04	
S1089 DOT AUTHORITY TO RECEIVE FUNDS FROM LOCAL GOV.	S REPTD FAV
S1090 HOV LANES - EMERGENCY VEHICLES.	S REPTD FAV COM SUBSTITUTE
	SA COM SUBSTITUTE ADOPTED
06-07-04	
S1118 SPECIAL LICENSE PLATES.	S WITHDRAWN FROM CAL
	S PLACED ON CAL FOR 6/8/2004
06-03-04	
S1145 REVENUE LAWS TECHNICAL CHANGES.	S REPTD FAV COM SUBSTITUTE
	SA COM SUBSTITUTE ADOPTED
06-07-04	
S1254 RESPIRATORY CARE BD/BACKGROUND CHECKS/ FEES.	S WITHDRAWN FROM CAL
	S PLACED ON CAL FOR 6/8/2004
06-03-04	
S1339 BEAUTIFY MALL/HONOR PURPLE HEART RECIPIENTS.	H REC FROM SENATE
	H REF TO COM ON RULES, CALENDAR, AND OPERATIONS OF THE HOUSE

LOCAL BILLS

H0057 RANDOLPH TDA.	H RATIFIED
S1305 WAKE CTY/SATELLITE ANNEXATIONS.	S REPTD FAV COM SUBSTITUTE
	SA COM SUBSTITUTE ADOPTED
06-07-04	
S1309 APEX CONDITIONAL ZONING/ROADS.	S PASSED 2ND & 3RD READING
06-03-04	
S1343 WHITEVILLE ANNEXATION.	S PASSED 3RD READING

SUMMARIES OF AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

S 1078. VEHICLE CONTROL SIGNS AND SIGNALS. Intro. 5/13/04. Senate committee substitute makes the following changes to 1st edition. Amends GS 20-158(b)(2) to prohibit vehicles approaching an intersection with a "steady-beam traffic signal" (was, traffic signal) from entering the intersection while traffic signal is emitting a red light.

S 1086. PUBLIC TRANSIT DECELERATION LAMPS. Intro. 5/13/04. Senate committee substitute makes the following changes to 1st edition. Makes technical changes only.

S 1090. HOV LANES - EMERGENCY VEHICLES. Intro. 5/13/04. Senate committee substitute makes the following changes to 1st edition. Amends GS 20-146.2(a) to also exempt from HOV lane restrictions movements around disabled vehicles and debris.

S 1145. REVENUE LAWS TECHNICAL CHANGES. Intro. 5/18/04. Senate committee substitute makes the following changes to 1st edition. Amends section 3 to provide for its repeal upon repeal of SL 2003-405. Amends GS 105-243.1(e) to state that proceeds of collection assistance fees may not be used for any purpose not directly and primarily related to collecting overdue tax debts. Codifies with technical amendments Ch. 650 of 1987 SL authorizing state and local governments to issue capital appreciation revenue, special obligation, and general obligation bonds, the proceeds of which may be used by the purchaser for higher education and other needs, as follows: sec. 6 as first two paragraphs of GS 159-99; secs. 7 and 5 as second and third paragraphs of GS 159-100; secs. 2, 4, and 5 as GS 142-15.3.

S 1305. VARIOUS MUNICIPALITIES SATELLITE ANNEXATIONS. Intro. 5/25/04. Senate committee substitute makes the following changes to 1st edition. Changes title to *AN ACT CONCERNING VOLUNTARY SATELLITE ANNEXATION BY VARIOUS MUNICIPALITIES*. Adds Leland and Wallace to municipalities excepted from GS 160A-58.1(b)(5) requirement that area within proposed satellite corporate limits, when combined with other satellite corporate limits, may not exceed 10 percent of area within primary corporate limits of annexing city.

NEXT SESSIONS

June 8, 2004

HOUSE convenes at 10:00 a.m.

SENATE convenes at 3:00 p.m.

: 2004/17

N.C. DOCUMENTS CLEARINGHOUSE
JUN 1 5 20

Daily Bulletin

STATE LIBRARY OF NORTH CAROLINA

ACTIONS BY THE NORTH CAROLINA GENERAL ASSEMBLY

Institute *of* Government—School of Government
The University of North Carolina at Chapel Hill
Legislative Reporting Service, Box 7294 State Legislative Building, Raleigh, NC 27601
Phone 919.733.2484 Fax 919.715.3464

House Legislative Day 121 Vol. 2004, No. 17 Senate Legislative Day 123

Tuesday, June 8, 2004

BILLS INTRODUCED TODAY

BILL #	SHORT TITLE	IDEN	COMMITTEE	GS INDEX
S 1438	MEMORIALIZING PRESIDENT RONALD W. REAGAN		RULES	JOINT RES

SUMMARIES OF BILLS INTRODUCED

SENATE BILLS

S 1438. MEMORIALIZING PRESIDENT RONALD W. REAGAN. *COMMEMORATING THE LIFE AND ACCOMPLISHMENTS OF RONALD WILSON REAGAN, 40TH PRESIDENT OF THE UNITED STATES OF AMERICA.* As title indicates.
Intro. by Horton.
Ref. to Rules JOINT RES

CALENDAR ACTION
June 8, 2004

NOTES
1. Amendments and committee substitutes adopted today are summarized in the following section of today's Daily Bulletin.
2. The dates on which previous amendments or committee substitutes were adopted are listed below bill numbers
3. The action "Cal Pursuant Rule 36b" indicates that the bill has been reported by committee and is awaiting calendaring by the Rules Committee.
4. Enacted bills are indicated by #, failed bills by *.

PUBLIC BILLS

H0354 AMEND DISABILITY LAWS	S	CONF COM APPOINTED
04-07-03, 07-20-03		
H0356 REMOVE SUNSET/MUNICIPAL ELECTRIC	S	WITHDRAWN FROM COMM
SERVICE.	S	RE-REF COM ON RULES AND OPERATIONS OF THE SENATE
H0551 ATTENDANCE AGE/ELIGIBILITY/SCHOOLS FOR	S	WITHDRAWN FROM COMM
DEAF.	S	RE-REF COM ON RULES AND OPERATIONS OF THE SENATE
04-14-03		

This publication is printed on permanent, acid-free paper in compliance with the North Carolina General Statutes
Institute of Government—School of Government
The University of North Carolina at Chapel Hill
© 2004

H1414 2004 APPROPRIATIONS ACT - 1.	H	AMENDMENT WITHDRAWN #1
	HA	AMEND ADOPTED #14
	H	PASSED 3RD READING
	S	REC FROM HOUSE
	S	REF TO COM ON APPROPRIATIONS/ BASE BUDGET
06-07-04, 06-08-04		
H1420 REGIONAL AGENCY DEBT SETOFF.	S	REC FROM HOUSE
	S	REF TO COM ON FINANCE
H1430 IRC UPDATE.	S	REC FROM HOUSE
	S	REF TO COM ON FINANCE
05-27-04		
H1444 JDIG - ENCOURAGE USE OF NC SMALL BUSINESSES.	S	REC FROM HOUSE
	S	REF TO COM ON FINANCE
05-27-04		
H1456 SBE STUDY USE OF AT-RISK FUNDS.	S	REC FROM HOUSE
	S	REF TO COM ON EDUCATION/ HIGHER EDUCATION
05-26-04		
H1463 HEALTH INSURANCE INNOVATIONS COMMISSION.	H	PLACED ON CAL FOR 6/9/2004
H1465 ALLOW FAMILY BUSINESS TO LEASE FARMLAND.	S	PASSED 2ND & 3RD READING
H1478 RETIREMENT/TEACHER EXCHANGE PROGRAMS.	H	PLACED ON CAL FOR 6/9/2004
H1518 REQUIRE PAYMENT OF RESTITUTION FOR EXPUNCTION.	H	PLACED ON CAL FOR 6/9/2004
H1519 CRIME VICTIM FINANCIAL RECOVERY ASSIST. ACT.	H	PLACED ON CAL FOR 6/9/2004
06-02-04		
H1544 ENABLING RES/TERM. PAR. RIGHTS/MURDER OF PAR.	S	REC FROM HOUSE
	S	REF TO COM ON RULES AND OPERATIONS OF THE SENATE
H1549 IN-STATE TUITION FOR MILITARY RESERVISTS.	H	PLACED ON CAL FOR 6/9/2004
06-03-04		
H1550 MILITARY AFFAIRS COMM. MEMBERSHIP.	H	WITHDRAWN FROM CAL
	H	RE-REF COM ON RULES, CALENDAR, AND OPERATIONS OF THE HOUSE
06-02-04		
H1574 LOWER HAW RIVER STATE NATURAL AREA.	S	REC FROM HOUSE
	S	REF TO COM ON AGRICULTURE/ ENVIRONMENT/NATURAL RESOURCES
06-01-04		
H1607 STATE NAT. & HIST. PRESERVE REMOVALS.	S	REC FROM HOUSE
	S	REF TO COM ON AGRICULTURE/ ENVIRONMENT/NATURAL RESOURCES
06-01-04		
H1803 D-DAY ANNIVERSARY.	H	ADOPTED
S0486 CUSTOMER INQUIRIES/INSURANCE COVERAGE.	H	WITHDRAWN FROM CAL
	H	RE-REF COM ON RULES, CALENDAR, AND OPERATIONS OF THE HOUSE
04-14-03, 06-03-04		
S1064 FINANCE PARKS AND HERITAGE.	S	REPTD FAV COM SUBSTITUTE
	SA	COM SUBSTITUTE ADOPTED
	S	RE-REF COM ON APPROPRIATIONS/ BASE BUDGET
06-08-04		
S1078 VEHICLE CONTROL SIGNS AND SIGNALS.	S	PASSED 2ND & 3RD READING
06-07-04		

S1083	STAGGERED ISSUANCE-COMMERCIAL/DEALER PLATES.	S PASSED 2ND & 3RD READING
S1085	DOT TECHNICAL CORRECTION.	H REC FROM SENATE H REF TO COM ON TRANSPORTATION
S1086	PUBLIC TRANSIT DECELERATION LAMPS.	S PASSED 2ND & 3RD READING
	06-07-04	
S1089	DOT AUTHORITY TO RECEIVE FUNDS FROM LOCAL GOV.	S PASSED 2ND & 3RD READING
S1090	HOV LANES - EMERGENCY VEHICLES.	S PASSED 2ND & 3RD READING
	06-07-04	
S1092	VA-NC INTERSTATE HIGH-SPEED RAIL COMPACT.	H REC FROM SENATE H REF TO COM ON TRANSPORTATION
S1118	SPECIAL LICENSE PLATES.	S PASSED 2ND & 3RD READING
	06-03-04	
S1124	AMEND STRUCTURED SENTENCING/POST RELEASE SUPV.	S REPTD FAV COM SUBSTITUTE SA COM SUBSTITUTE ADOPTED
	06-08-04	
S1144	"IN GOD WE TRUST" SPECIAL PLATES.	H REC FROM SENATE H REF TO COM ON FINANCE
	06-02-04	
S1145	REVENUE LAWS TECHNICAL CHANGES.	S PASSED 2ND READING
	06-07-04	
S1148	CARE FOR THE MENTALLY ILL IN LTC FACILITIES.	H REC FROM SENATE H REF TO COM ON AGING
	06-02-04	
S1159	MILITARY AFFAIRS COMM. MEMBERSHIP.	H REC FROM SENATE H REF TO COM ON MILITARY, VETERANS AND INDIAN AFFAIRS
	06-02-04	
S1167	CONDO AND PLANNED COMM. CLARIFICATIONS.	S REPTD FAV
S1191	CONSTRUCTION OF PRISON IN COLUMBUS COUNTY.	S REPTD FAV
S1219	DRY CLEANING SOLVENT CLEANUP ACT AMENDMENTS.	S REPTD FAV
S1223	HEALTH INSURANCE INNOVATIONS COMMISSION.	S REPTD FAV COM SUBSTITUTE SA COM SUBSTITUTE ADOPTED
	06-08-04	
S1228	BLANK APPROPRIATIONS BILL - 1.	S WITHDRAWN FROM COMM S RE-REF COM ON FINANCE
S1254	RESPIRATORY CARE BD/BACKGROUND CHECKS/ FEES.	S PASSED 2ND & 3RD READING
	06-03-04	
S1270	LOWER HAW RIVER STATE NATURAL AREA.	S REPTD FAV COM SUBSTITUTE SA COM SUBSTITUTE ADOPTED
	06-08-04	
S1312	LOCAL GOV'T EMPLOYEES/457 PLAN.	H REC FROM SENATE H REF TO COM ON PENSIONS AND RETIREMENT
	06-02-04	

LOCAL BILLS

#H0057	RANDOLPH TDA.	HR CH. SL 2004-3
H1369	EMERALD ISLE ANNEXATION.	H PLACED ON CAL FOR 6/9/2004
H1385	WASHINGTON/CRESWELL/WALLACE SATELLITE ANNEX.	H PLACED ON CAL FOR 6/9/2004
	06-03-04	

H1471 BAKERSVILLE DEANNEXATION.	S	REC FROM HOUSE
	S	REF TO COM ON FINANCE
H1475 BADIN SATELLITE ANNEXATION.	S	REC FROM HOUSE
	S	REF TO COM ON FINANCE
H1547 CHAPEL HILL OPEN SPACE.	S	REC FROM HOUSE
	S	REF TO COM ON FINANCE
06-02-04		
H1553 GRIMESLAND BOUNDARY RESTATEMENT.	S	REC FROM HOUSE
	S	REF TO COM ON FINANCE
H1564 CHARLOTTE REGIONAL VISITORS AUTHORITY.	S	REC FROM HOUSE
	S	REF TO COM ON STATE GOVERNMENT, LOCAL GOVERNMENT, AND VETERANS' AFFAIRS
H1569 COLUMBUS COUNTY SERVICE FEES.	S	REC FROM HOUSE
	S	REF TO COM ON FINANCE
H1588 MONROE CLAIMS SETTLEMENT.	H	PLACED ON CAL FOR 6/9/2004
06-03-04		
H1589 MONTGOMERY COMMISSIONER ELECTIONS.	H	PLACED ON CAL FOR 6/9/2004
06-03-04		
H1593 SWANSBORO ANNEXATION.	H	PLACED ON CAL FOR 6/9/2004
H1604 GREENSBORO CLAIM SETTLEMENTS.	S	REC FROM HOUSE
	S	REF TO COM ON STATE GOVERNMENT, LOCAL GOVERNMENT, AND VETERANS' AFFAIRS
H1608 GREENSBORO ORDINANCE PUBLICATION.	S	REC FROM HOUSE
	S	REF TO COM ON STATE GOVERNMENT, LOCAL GOVERNMENT, AND VETERANS' AFFAIRS
06-02-04		
H1614 LENOIR ABC PROFIT DISTRIBUTIONS TO BE ANNUAL.	S	REC FROM HOUSE
	S	REF TO COM ON STATE GOVERNMENT, LOCAL GOVERNMENT, AND VETERANS' AFFAIRS
H1619 ELIZABETHTOWN CHARTER AMENDMENTS.	H	PLACED ON CAL FOR 6/9/2004
06-03-04		
H1640 DARE AFFORDABLE HOUSING FOR TEACHERS.	S	REC FROM HOUSE
	S	REF TO COM ON STATE GOVERNMENT, LOCAL GOVERNMENT, AND VETERANS' AFFAIRS
05-26-04		
H1666 GARNER/UNSAFE RESIDENTIAL BUILDINGS.	S	REC FROM HOUSE
	S	REF TO COM ON STATE GOVERNMENT, LOCAL GOVERNMENT, AND VETERANS' AFFAIRS
H1670 NEWTON FORCE ACCOUNT.	H	PLACED ON CAL FOR 6/9/2004
06-03-04		
H1678 NORWOOD ANNEXATIONS.	H	PLACED ON CAL FOR 6/9/2004
S1033 TRANSYLVANIA LAND ACQUISITION/ CONVEYANCE.	S	PASSED 2ND & 3RD READING
06-01-04		
S1060 TOWN OF FRANKLIN OCCUPANCY TAX.	S	WITHDRAWN FROM CAL
	S	PLACED ON CAL FOR 6/15/2004
S1122 CHAPEL HILL SCHOOL SITES.	H	PLACED ON CAL FOR 6/9/2004
06-02-04		
S1133 MISENHEIMER MUNICIPAL ELECTIONS.	H	REC FROM SENATE
	H	REF TO COM ON LOCAL GOVERNMENT I
S1189 EXPAND CHADBOURN ETJ.	H	PLACED ON CAL FOR 6/9/2004

S1201	ROBESON/NO HUNTING OR FISHING FROM ROADWAYS.	H REC FROM SENATE H REF TO COM ON WILDLIFE RESOURCES
S1305	VARIOUS MUNICIPALITIES SATELLITE ANNEXATIONS.	S PASSED 2ND READING

06-07-04

SUMMARIES OF AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

S 1064. FINANCE PARKS, HERITAGE, AND CLEAN WATER (NEW). Intro. 5/13/04. Senate committee substitute makes the following changes to 1st edition. Provides that the maximum principal amount of special indebtedness to finance the cost of park projects shall be the lesser of $105 million or maximum amount identified in GS 113-44.15 (was, GS 113-44.15 maximum only). Further provides that maximum principal amount of special indebtedness to finance cost of natural heritage projects shall be the lesser of $65 million or maximum amount identified in GS 113-77.9 (was, GS 113-77.9 maximum only). Amends GS 113-44.15(d) to limit the amount that the NC Parks and Recreation Authority may allocate to reimburse the General Fund for debt service on special indebtedness to 50% of the portion of the capital projects appropriation received. Amends GS 113-77.9(b3) to limit the amount that the Trustees of the Natural Heritage Trust Fund may allocate to reimburse the General Fund for debt service on special indebtedness to 50% of the funds credited to Natural Heritage Trust Fund pursuant to GS 105-228.30 (real property instrument excise tax).

Enacts new Part 3 authorizing the issuance of special indebtedness to be used to finance the cost of clean water projects. Provides that maximum amount of special indebtedness is the lesser of $350 million or maximum amount identified in GS 113A-256. Enacts new GS 113A-256(j) to permit Clean Water Management Trust Fund Board of Trustees to authorize expenditure of a portion of amounts credited to Clean Water Management Trust Fund to reimburse General Fund for debt service. Expresses the intent of the General Assembly that the proceeds of special indebtedness authorized under act shall be applied for act's purposes, including the acquisition of land near military bases to prevent encroachment. Makes technical changes.

S 1124. AMEND STRUCTURED SENTENCING/POST RELEASE SUPV. Intro. 5/17/04. Senate committee substitute makes the following changes to 1st edition. Deletes requirement in GS 15A-1340.18(b) that court make a finding of facts to support its decision not to impose post-release supervision. Makes technical changes.

S 1223. HEALTH INSURANCE INNOVATIONS COMMISSION. Intro. 5/20/04. Senate committee substitute makes the following changes to 1st edition. Amends Sec. 5 to replace provision authorizing Comm'r to waive adopted rules with provision authorizing Comm'r to adopt temporary rules. Further amends Sec. 5 to require that any new program, plan, or product be reported to Jt. Legis. Comm'n on Governmental Operations 30 days prior to implementation. Makes conforming changes.

S 1270. STATE PARKS SYSTEMS ADDS. & STUDY (NEW). Intro. 5/24/04. Senate committee substitute makes the following changes to 1st edition. Requires that the Div'n of Parks and Recreation study the feasibility and desirability of establishing a State Recreation Area at Blewett Falls Lake and report its findings and recommendations to the Environmental Review Comm'n on or before Dec. 1, 2005.

HOUSE BILLS

CORRECTION

H 1303. NONPROFITS EXEMPT FROM ADMISSIONS TAX. *CORRECTED SUMMARY.* Intro. 5/15/03. Senate amendments adopted 7/18/03 and 7/19/03 make the following changes to 2nd edition. Change effective date of amendment to GS 105-40 (privilege tax on amusements) to Oct. 1, 2003. Enact new GS 105-113.21(a) (tobacco products tax) to provide that a distributor who files a timely report under GS 105-113.18 and sends a timely payment may deduct from the amount due a discount of 2% to cover expenses in preparing required records and

reports; similarly enacts new GS 105-113.39 (wholesalers and retailers) and GS 105-113.85 (alcoholic beverage license taxes). Discount provisions effective for reporting periods beginning on or after Aug. 1, 2003.

H 1414. 2004 APPROPRIATIONS ACT. Intro. 5/12/04. House committee substitute adopted 6/7/04 makes the following changes to 1st edition. Replaces blank bill with the following.

Current Operations and Expansion/General Fund

Appropriations from the General Fund of the state for the maintenance of state departments, institutions, and agencies, and for other purposes as enumerated are adjusted for the fiscal year ending June 30, 2005, according to the schedule that follows. Amounts set out in brackets are reductions from General Fund appropriations for the 2004-2005 fiscal year.

Current Operations – General Fund	**2004-2005**
Education	
Community Colleges System Office	28,407,571
Department of Public Instruction	127,395,755
University of North Carolina System	46,548,176
Health and Human Services	
Department of Health and Human Services	
Office of the Secretary	(7,440,839)
Division of Aging	3,681,000
Division of Blind Services/Deaf/HH	(30,000)
Division of Child Development	1,925,000
Division of Education Services	10,873
Division of Facility Services	(450,000)
Division of Medical Assistance	(81,879,913)
Division of Mental Health	(10,713,000)
Division of Public Health	4,696,000
Division of Social Services	(5,011,948)
Division of Vocation Rehabilitation	(1,479,294)
Total	(96,692,121)
Natural and Economic Resources	
Department of Agriculture and Consumer Services	75,538
Department of Commerce	
Commerce	1,161,000
Commerce State-Aid	1,750,000
NC Biotechnology Center	5,000,000
Rural Economic Development Center	144,000
Department of Environment and Natural Resources	
Environment and Natural Resources	(218,339)
Department of Labor	364,216
Justice and Public Safety	
Department of Correction	(11,444,276)
Department of Crime Control and Public Safety	3,414,793
Judicial Department	7,760,075
Judicial Department – Indigent Defense	10,500,000
Department of Justice	361,923

Department of Juvenile Justice and Delinquency Prevention	2,326,114
General Government	
Department of Administration	2,448,330
Office of Administrative Hearings	90,476
Department of State Auditor	(200,000)
Office of State Controller	(99,429)
Department of Cultural Resources	
Cultural Resources	5,622,311
Roanoke Island Commission	(32,731)
State Board of Elections	1,472,412
General Assembly	(779,579)
Office of the Governor	
Office of the Governor	(99,037)
Office of State Budget and Management	148,427
OSBM – Reserve for Special Appropriations	350,000
Department of Insurance	
Insurance	4,062,654
Insurance – Volunteer Safety Workers' Compensation	(1,734,000)
Office of Lieutenant Governor	0
Department of Revenue	(2,161,737)
Rules Review Commission	(3,185)
Department of Secretary of State	(110,389)
Department of State Treasurer	
State Treasurer	424,708
State Treasurer – Retirement for Fire and Rescue Squad Workers	370,000
Transportation	
Department of Transportation	(228,056)
Reserves, Adjustments, and Debt Service	
Reserve for Compensation Increases	237,900,000
State Health Plan Reserve	(7,800,000)
Escheats Fund Repayment – Global Transpark	19,654,487
Retirement System Payback	16,000,000
Salary Adjustment Fund	(376,576)
Job Development Incentive Grants Reserve	4,000,000
Senate Bill 100 Compliance	(11,813,949)
Mental Health, Developmental Disabilities and	
Substance Abuse Services Trust Fund	8,500,000
Debt Service	
General Debt Service	(83,648,480)
Federal Reimbursement	460,432
Total Current Operations – General Fund	**320,024,666**

General Fund Availability Statement

The General Fund availability used in adjusting the 2004-2005 budget is shown below:

Unappropriated Balance from FY 2003-2004	145,664,254
Emergency Appropriation	(24,100,000)
Projected Reversions from FY 2003-2004	198,300,000
Projected Overcollections from FY 2003-2004	150,000,000
Beginning Unreserved Credit Balance	**469,864,254**
Credit to Savings Reserve Account	(117,466,064)
Credit to Repairs and Renovation Reserve Account	(100,000,000)
Adjusted Beginning Unreserved Credit Balance	**252,398,190**
Revenues Based on Existing Tax Structure	**14,716,866,500**
Nontax Revenues	
Investment Income	86,020,000
Judicial Fees	136,730,000
Disproportionate Share	100,000,000
Insurance	53,900,000
Other Nontax Revenues	261,517,607
Highway Trust Fund Transfer	242,586,830
Highway Fund Transfer	16,166,400
Subtotal Nontax Revenues	**896,920,837**
Total General Fund Availability	**15,866,185,527**
Adjustments to Availability: 2004 Session	
Internal Revenue Code Conformity	(2,600,000)
Tobacco Payments Decline-Tobacco Trust Fund	(5,000,000)
Tobacco Payments Decline-Health and Wellness Trust Fund	(5,000,000)
Adjustment to 911 Wireless Fund	(3,720,573)
Reserve for Tax Law Revisions	(2,950,000)
Transfer from Fire Safety Loan Fund	250,000
Transfer from Veteran's Home Trust Fund	500,000
Transfer from Information Technology Services Internal Service Fund	2,180,000
Subtotal Adjustments to Availability: 2004 Session	**(16,340,573)**
Revised General Fund Availability for 2004-2005 Fiscal Year	**15,849,844,954**
Less: Total General Fund Appropriations for 2004-2005 Fiscal Year	**15,849,844,954**

Notwithstanding GS 143-16.4(a2), of the funds credited to the Tobacco Trust Account from the Master Settlement Agreement pursuant to Section 6(2) of S.L. 1999-2 during the 2004-2005 fiscal year, the sum of thirty-five million dollars ($35,000,000) shall be transferred from the Department of Agriculture and Consumer Services, Budget Code 23703 (Tobacco Trust Fund), to the State Controller to be deposited in Nontax Budget Code 19978 (Intra State Transfers) to support General Fund appropriations for the 2004-2005 fiscal year.

Notwithstanding GS 143-16.4(a1), of the funds credited to the Health Trust Account from the Master Settlement Agreement pursuant to Section 6(2) of S.L. 1999-2 during the 2003-2004 year, the sum of twenty million dollars ($20,000,000) that would otherwise be deposited in the Fund Reserve established by GS 147-86.30(c) and five million ($5,000,000) of the funds that are not reserved pursuant to GS 147-86.30(c) shall be transferred from the Department of State Treasurer, Budget Code 23460 (Health and Wellness Trust Fund), to the State Controller to be deposited in Nontax Budget Code 19978 (Intra State Transfers) to support General Fund appropriations for the 2003-2004 fiscal year.

Notwithstanding GS 143-16.4(a1) and GS 147-86.30, of the funds credited to the Health Trust Account from the Master Settlement Agreement pursuant to Section 6(2) of S.L. 1999-2 during the 2004-2005 fiscal year, the sum of twenty million dollars ($20,000,000) shall be transferred from the Department of State Treasurer, Budget Code 23460 (Health and Wellness Trust Fund), to the State Controller to be deposited in Nontax Budget Code 19978 (Intra State Transfers) to support General Fund appropriations for the 2004-2005 fiscal year. Any funds remaining after the transfer to the General Fund, shall be deposited in the Nonreserve Fund, not to exceed a total deposit of twenty million dollars ($20,000,000). If the total amount deposited to the Nonreserve Fund equals twenty million dollars ($20,000,000) and there are additional remaining funds, then those funds shall be deposited in the Reserve Fund.

It is the intent of the General Assembly that the transfer of funds to the General Fund shall have first priority, over both the Nonreserve Fund and the Reserve Fund. It is the further intent of the General Assembly that any funds remaining after the transfer to the General Assembly shall not be divided equally between the Nonreserve Fund and the Reserve Fund, but that the Nonreserve Fund shall have priority over the Reserve Fund.

Notwithstanding GS 143-15.2 and GS 143-15.3A, the State Controller shall transfer one hundred million dollars ($100,000,000) from the unreserved credit balance to the Repairs and Renovations Reserve Account on June 30, 2004. Transfer effective June 30, 2004.

Notwithstanding the provisions of GS 62A-22(c), 62A-24(d), 62A-25, and 62A-26, the following shall be transferred from Wireless Fund created in GS 62A-22(c) to the State Controller to be deposited in Nontax Budget Code 19978 (Intra State Transfers) to support General Fund appropriations for the 2003-2005 fiscal biennium: (i) all service charges remitted to the Wireless Fund during the 2003-2004 fiscal year; and (ii) the sum of twenty-one million two hundred seventy-nine thousand four hundred twenty-seven dollars ($21,279,427) from the services charges remitted to the Wireless Fund during the 2004-2005 fiscal year.

Current Operations and Expansion/Highway Fund

Appropriations from the Highway Fund of the State for the maintenance and operation of the Department of Transportation, and for other purposes as enumerated are made for the fiscal year ending June 30, 2005, according to the schedule that follows. Amounts set out in brackets are reductions from Highway Fund appropriations for the 2004-2005 fiscal year.

Current Operations – Highway Fund	**2004-2005**
Transportation Administration	$ 1,227,072
Operations –	
Match for Federal Aid	–
Construction Program	
State Secondary System	410,000
State Urban System	–
Discretionary Funds	5,000,000
Spot Safety Improvements	–
Access and Public Service Roads	–
Maintenance	32,559,191
Capital Improvements	–
Ferry Operations	–
State Aid to Municipalities	410,000
State Aid to Railroads	–
State Aid for Public Transportation	563,521
Asphalt Plant Cleanup	–
Governor's Highway Safety Program	–
Division of Motor Vehicles	2,405,121
Appropriations to Other State Agencies	(569,511)
Reserves and Transfers	17,370,191
Total	**$59,375,585**

Highway Fund Availability Statement

Highway Fund Budget Reform Statement	**2004-2005**
Beginning Credit Balance	–
Estimated Revenue	$ 1,390,900,000

Estimated Reversions	–
Total Highway Fund Availability	**$ 1,390,900,000**

Highway Trust Fund Appropriations

Appropriations from the Highway Trust Fund of the state for the maintenance and operation of the Department of Transportation and for other purposes as enumerated are made for the fiscal year ending June 30, 2005, according to the schedule that follows. Amounts set out in brackets are reductions from Highway Trust Fund appropriations for the 2004-2005 fiscal year.

Current Operations – Highway Trust Fund	**2004-2005**
Intrastate System	(15,851,965)
Urban Loops	(6,409,875)
Aid to Municipalities	(1,663,241)
Secondary Roads	(640,670)
Administrative Expense	(439,736)
Leaking Underground Storage Tank Fund	13,500,000
Transfer to General Fund	(66,513)
GRAND TOTAL CURRENT OPERATIONS AND EXPANSION	**(11,572,000)**

Block Grants

DHHS Block Grants

COMMUNITY SERVICES BLOCK GRANT		
01.	Community Action Agencies	$ 15,266,973
02.	Limited Purpose Agencies	848,165
03.	NC Interagency Council for Homeless Programs	262,472
04.	Department of Health and Human Services to administer and monitor the activities of the Community Services Block Grant	848,165
TOTAL COMMUNITY SERVICES BLOCK GRANT		$ 17,225,775
SOCIAL SERVICES BLOCK GRANT		
01.	County departments of social services (Transfer from TANF – $4,500,000)	$ 28,868,189
02.	Allocation for in-home services provided by county departments of social services	2,101,113
03.	Division of Services for the Blind	3,105,711
04.	Division of Facility Services	426,836
05.	Division of Aging – Home and Community Care Block Grant	1,840,234
06.	Child Care Subsidies	6,269,309
07.	Division of Vocational Rehabilitation – United Cerebral Palsy	71,484
08.	State administration	1,693,368
09.	Child Medical Evaluation Program	238,321
10.	Adult day care services	2,155,301
11.	Comprehensive Treatment Services Program	422,003
12.	Department of Administration for the N.C. State Commission of Indian Affairs In-Home Services Program for the Elderly	203,198
13.	Division of Vocational Rehabilitation Services –	

	Easter Seals Society	116,779
14.	UNC-CH CARES Program for training and consultation services	247,920
15.	Office of the Secretary – Office of Economic Opportunity for N.C. Senior Citizens' Federation for outreach services to low-income elderly persons	41,302
16.	Division of Social Services – Child Caring Agencies	1,500,000
17.	Division of Mental Health, Developmental Disabilities, and Substance Abuse Services – Developmentally Disabled Waiting List for services	5,000,000
18.	Transfer to Preventive Health Services Block Grant for HIV/AIDS education, counseling, and testing	145,819
19.	Division of Facility Services – Mental Health Licensure	213,128
20.	Division of Mental Health, Developmental Disabilities, and Substance Abuse Services	3,234,601
TOTAL SOCIAL SERVICES BLOCK GRANT		$ 57,894,616
LOW-INCOME ENERGY BLOCK GRANT		
01.	Energy Assistance Programs	$ 12,775,323
02.	Crisis Intervention	9,192,927
03.	Administration	2,957,339
04.	Weatherization Program	4,212,740
05.	Department of Administration – N.C. State Commission of Indian Affairs	54,840
06.	Heating Air Repair and Replacement Program	1,966,153
TOTAL LOW-INCOME ENERGY BLOCK GRANT		$ 31,159,322
MENTAL HEALTH SERVICES BLOCK GRANT		
01	Provision of community-based services for severe and persistently mentally ill adults	$ 6,307,035
02	Provision of community-based services to children	3,921,991
03.	Comprehensive Treatment Services Program for Children	1,500,000
04	Administration	568,911
TOTAL MENTAL HEALTH SERVICES BLOCK GRANT		$ 12,297,937
SUBSTANCE ABUSE PREVENTION AND TREATMENT BLOCK GRANT		
01.	Provision of community-based alcohol and drug abuse services, tuberculosis services, and services provided by the Alcohol and Drug Abuse Treatment Centers	$ 20,441,082
02.	Continuation of services for pregnant women and women with dependent children	8,069,524
03.	Continuation of services to IV drug abusers and others at risk for HIV diseases	4,816,378
04.	Child Substance Abuse Prevention	5,835,701
05.	Provision of services to children and adolescents	4,940,500

06.	Juvenile Services – Family Focus	851,156
07.	Allocation to the Division of Public Health for HIV/STD Risk Reduction Projects	383,980
08.	Allocation to the Division of Public Health for HIV/STD Prevention by County Health Departments	209,576
09.	Allocation to the Division of Public Health for the Maternal and Child Health Hotline	37,779
10.	Administration	2,596,307
TOTAL SUBSTANCE ABUSE PREVENTION AND TREATMENT BLOCK GRANT		$ 48,181,983
CHILD CARE AND DEVELOPMENT FUND BLOCK GRANT		
01.	Child care subsidies	$154,163,120
02.	Quality and availability initiatives	17,764,577
03.	Administrative expenses	7,163,654
04.	Transfer from TANF Block Grant for child care subsidies	81,292,880
TOTAL CHILD CARE AND DEVELOPMENT FUND BLOCK GRANT		$260,384,231
TEMPORARY ASSISTANCE TO NEEDY FAMILIES (TANF) BLOCK GRANT		
01.	Work First Cash Assistance	$119,841,508
02.	Work First County Block Grants	94,653,315
03.	Transfer to the Child Care and Development Fund Block Grant for child care subsidies	81,292,880
04.	Child Care Subsidies for TANF Recipients	33,512,238
05.	Child Welfare Workers for local DSS	11,452,391
06.	Transfer to Social Services Block Grant for County Departments of Social Services for Children's Services	4,500,000
07.	Support Our Students – Department of Juvenile Justice and Delinquency Prevention	3,521,056
08.	Domestic Violence Services for Work First Families	1,200,000
09.	After-School Services for At-Risk Children YWCA Central Carolinas Youth Development Programs $176,000	2,249,642
10.	Division of Social Services – Administration	400,000
11.	Child Welfare Training	2,550,000
12.	TANF Automation Projects	592,500
13.	Boys and Girls Clubs	1,000,000
14.	Work Central Career Advancement Center	550,000
15.	WCH-Teen Pregnancy Prevention	1,000,000
16.	Transfer to Social Services Block Grant for Child Caring Institutions	1,500,000
17.	Special Children's Adoption Fund	3,000,000
18.	NC Fast Implementation	2,717,298
19.	Maternity Homes	838,000
20.	Individual Development Accounts	180,000
21.	Reduction of Out-of-Wedlock Births	1,000,000
22.	After-School Programs for At-Risk Youths in Middle Schools	1,000,000

TOTAL TEMPORARY ASSISTANCE TO NEEDY FAMILIES (TANF) BLOCK GRANT	$368,550,828
MATERNAL AND CHILD HEALTH BLOCK GRANT	
01. Healthy Mothers/Healthy Children Block Grants to Local Health Departments	9,565,205
02. High-Risk Maternity Clinic Services, Perinatal Education and Training, Childhood Injury Prevention, Public Information and Education, and Technical Assistance to Local Health Departments	2,207,273
03. Adolescent Pregnancy Prevention Coalition of NC	150,000
04. Office of Minority Health	159,000
05. Services to Children With Special Health Care Needs	4,280,987
06. School Health Nurse Initiative	3,250,000
School Health Nurse Initiative Reserve 2005-2006	3,250,000
07. Administration and Program Support	2,434,303
TOTAL MATERNAL AND CHILD HEALTH BLOCK GRANT	$ 25,296,768
PREVENTIVE HEALTH SERVICES BLOCK GRANT	
01. Statewide Health Promotion Programs	$2,810,294
02. Rape Crisis/Victims' Services Program – Council for Women	197,112
03. Transfer from Social Services Block Grant – HIV/AIDS education, counseling, and testing	145,819
04. Administration and Program Support	661,092
05. Osteoporosis Task Force Operating Costs	150,000
TOTAL PREVENTIVE HEALTH SERVICES BLOCK GRANT	$3,964,317

NER Block Grants

COMMUNITY DEVELOPMENT BLOCK GRANT	
01. State Administration	$1,000,000
02. Urgent Needs and Contingency	50,000
03. Scattered Site Housing	13,200,000
04. Economic Development	10,960,000
05. Community Revitalization	12,200,000
06. State Technical Assistance	450,000
07. Housing Development	2,000,000
08. Infrastructure	5,140,000
TOTAL COMMUNITY DEVELOPMENT BLOCK GRANT – 2005 Program Year	45,000,000

General Provisions

Preference given to American made products. Enacts new GS 143-59.1A to provide that if the Sec'y of Administration or state agency cannot give preference to NC products or services as provided in GS 143-59, then preference shall be given, as far as may be practicable without loss of price or quality, to American services or products.

Rules Review Comm'n transferred to Office of Administrative Hearings; authorization for Rules Review Comm'n to obtain outside counsel. Effective Oct. 1, 2004, Rules Review Comm'n personnel and equipment are transferred to the Office of Administrative Hearings by a Type I transfer. The Chief Administrative Law Judge shall be responsible for hiring the director and other staff of the Comm'n. Effective July 1, 2004, the Rules Review Comm'n is authorized to hire outside counsel, expenses to be paid from the Reserve Fund.

Extend local government hold harmless. Amends GS 105-521 to extend the hold harmless provisions of that statute to 2012 (now, 2004).

Legislative Commission on State Property/State Property Office duties. Enacts new Art. 30, GS Ch. 120, to create a 15-member Comm'n as title indicates. Comm'n shall consist of the Speakers, or their designees; President Pro Tem., or designee; 4 Representatives; 4 Senators; and 4 members of the public; at least 2 members shall be realtors and 2 members shall be real estate appraisers. The purpose of the Comm'n is to identify state-owned real property that is suitable for sale on the private market and to make recommendations to the General Assembly, to the Governor, and to the Council of State concerning the disposition of state property suitable for sale. The Comm'n shall involve realtors, real estate appraisers, and other knowledgeable persons in determining its recommendations. In particular, the Comm'n shall adopt guidelines to assure the participation of realtors in identifying state real property suitable for sale.

Change effective date-private plates on public vehicles. Amends various session laws to change effective dates regarding private plates to May 1, 2005.

Escheat Fund repayment. Funds appropriated in this act to the Reserve for Global TransPark Debt Repayment shall be remitted to the State Treasurer for deposit in the Escheat Fund on July 1, 2004. This deposit will satisfy the intent expressed by the General Assembly in GS 147-69.2 to hold the Escheat Fund harmless from loss.

Veterans' home trust fund transfer. Notwithstanding GS-65-48, $500,000 of the cash balance remaining in the NC Veterans Home Trust Fund (Budget Code 64106, Fund 6771) on July 1, 2004, shall be transferred to the State Controller to be deposited in Nontax Budget Code 19978 (Intra State Transfers). These funds shall be used to support the General Fund appropriation for the 2004-2005 fiscal year for the start-up cost of the State Veterans Nursing Home in Salisbury.

Fire safety loan fund transfer. Transfers $250,000 remaining in Fire Safety Loan Fund to State Controller to support General Fund Appropriations for 2004-05.

ITS budget transfer. Transfers $2,180,000 from ITS budget code 74460 to nontax budget code 19978 to support General Fund appropriations for 2004-05.

Repair and Renovation Reserve allocation. Of the funds in the Reserve for Repairs and Renovations for the 2004-2005 fiscal year, 46% shall be allocated to the UNC Board of Governors for repairs and renovations pursuant to GS 143-15.3A, in accordance with guidelines developed in the UNC Funding Allocation Model for Reserve for Repairs and Renovations, as approved by the Board of Governors, and 54% shall be allocated to the Office of State Budget and Management for repairs and renovations pursuant to GS-143-15.3A.

Dorothea Dix property master plan. Directs State Property Office, in consultation with the City of Raleigh, to develop a master plan for the Dorothea Dix Campus in the event all or part of the property is sold to a nongovernmental entity. The plan shall be submitted to the Dorothea Dix Property Study Comm'n no later than April 1, 2005, and the Comm'n shall review the plan and make recommendations to the 2005 General Assembly.

JDIG appropriation structure. Establishes the JDIG Reserve in the General Fund from which funds are to be expended in accordance with new GS 143B-437.63 to meet the cash requirements of the Job Development Investment Grant Program.

Pottery highway signs. Directs Dep't of Transportation not to prohibit off-premises signs located on private property for potteries on NC 705 in Moore and Randolph counties.

No median on part of NC 64 in Randolph County. As title indicates.

Dep't of Transportation to erect informational signs for historic district in the City of Kings Mountain. As title indicates.

No elected state officials in public service announcements paid for by state funds, federal funds, or funds received from settlement of litigation. As title indicates.

Public Schools

Teacher salary schedules. Effective for the 2004-2005 school year, the Director of the Budget shall transfer from the Reserve for Experience Step Salary Increase for Teachers and Principals in Public Schools for the 2004-2005 fiscal year funds necessary to implement the teacher salary schedule for 2004-05, including funds for the employer's retirement and social security contributions and funds for annual longevity payments at 1.5% of base salary for 10 to 14 years of state service, 2.25% of base salary for 15 to 19 years of state service, 3.25% of base salary for 20 to 24 years of state service, and 4.5% of base salary for 25 or more years of state service, commencing July 1, 2004, for all teachers whose salaries are supported from the state's General Fund. These funds shall be allocated to individuals according to rules adopted by the State Board of Education. The longevity payment shall be paid in a lump sum once a year. The salary schedule contains 30 steps and ranges from $2,538 a month for A teachers with no experience to $5,619 a month for M teachers with NBPTS certification and 30 or

more years experience. Monthly salary supplements are awarded based on certain academic qualifications or specialties.

School-based administrator salary schedule. For 2004-05 enacts a salary schedule for principals and assistant principals that ranges from $3,242 a month for an assistant principal with 0-4 years experience to $7,529 a month for a Principal VIII with 41 or more years experience.

Central office salaries. For 2004-05 enacts a salary schedule that ranges from a minimum of $2,932 a month for a School Administrator I to a maximum of $8,072 a month for a School Administrator VII, and a minimum of $4,187 a month for a Superintendent I to a maximum of $10,499 a month for a Superintendent V.

Noncertified personnel salary. For 2004-05 increases salaries of noncertified personnel by $83.34 per month, beginning July 1, 2004.

Appropriations for continually low-performing schools. Amends SL 2003-284, sec. 7.5 to reduce the appropriation to low-performing schools for 2004-05 from $1,956,115 to $602,975.

Children with disabilities. Directs State Board of Education to allocate funds for children with disabilities on the basis of $2,773.96 per child for a maximum of 166,500 children for the 2004-05 school year.

Funds for academically gifted children. Directs State Board of Education to allocate funds for academically gifted children on the basis of $914.95 per child for no more than 54,762 children for the 2004-05 school year.

LEA assistance program. Amends SL 2003-284, sec. 7.17 to allocate from State Aid to Local School Administrative Units $500,000 for 2004-05 to provide assistance to low-performing Local School Administrative Units and to assist schools in meeting adequate progress in each subgroup identified in the No Child Left Behind Act.

Local education agency flexibility. Amends SL 2003-284, sec. 7.23, to require that within 14 days of the date this act becomes law the State Board of Education shall notify each local school administrative unit of the amount it must reduce from General Fund appropriations for 2004-05, and requires that within 30 days of the date the act becomes law each local unit must report to the Dep't of Public Instruction the reductions it has identified Deletes provision in that section that required the State Board of Education, for 2005-06 and subsequent years, to determine the changes to the allotment categories to make the reductions permanent.

Replacement school buses funds. Amends SL 2003-284, sec. 7.25(a), to reduce the allocation for the purchase of replacement school buses for 2004-05 from a maximum of $47,752,813 to a maximum of $37,239,912.

K-2 assessment. Amends Gs 115C-174.11 to provide that standardized tests shall not be used except as required as a condition of receiving a federal grant.

Evaluate validity of ABC accountability system. Amends GS 115C-105.35(a) to provide that at least once every 5 years. the State Board of Education shall evaluate the accountability system and modify the testing standards to assure the standards reasonably reflect the level of performance necessary to be successful at the next grade level or for more advanced study in the content area.

Funds to implement the ABCs of public education. Directs State Board of Education to use funds appropriated for State Aid to Local School Administrative Units for 2004-05 as follows: incentive awards in schools that achieve higher than expected improvements may be up to $1,500 for each teacher and certified personnel and $500 for each teacher assistant; in schools that meet the expected improvements, the awards may be up to $750 for each teacher and certified personnel and $375 for each teacher assistant. For 2005-06 the incentive funding in schools that achieve higher than expected improvements may be up to $1,500 for each teacher and certified personnel and $500 for each teacher assistant. Authorizes State Board to use funds appropriated to State Aid to Local School Administrative Units for assistance teams to low-performing schools

Discontinue ineffective program. Repeals SL 2003-284, sec. 7.20(a), which allocated $2,890,000 to provide annual bonuses of $1,800 for teachers certified in and teaching in the fields of mathematics, science, or special education in certain schools.

Restore vocational education funding. Amends SL 2003-284, sec. 7.15, as title indicates.

Expedited allotments from the ADM Contingency Reserve. Amends SL 2003-284, sec. 7.27, to provide that the State Board of Education shall expedite requests for allotments from the Contingency Reserve. The Board shall either grant such a request and allot the funds, reject, or require additional information to support the request, within 5 business days of the later of (1) the day the Board receives the request, or (2) the day the Board receives from the unit the official ADM for the month relevant to the request.

Healthful school food choices/pilot program. Directs the State Board of Education, with the assistance of the NC School Food Service Ass'n and the Academy of Family Physicians, to develop pilot programs in up to 8 local school administrative units to provide only healthful, nutritious food choices to students. If, at the end of the 2004-05 school year, the Board finds that a pilot unit experienced a decrease in food service revenues because

Universities

Need-based financial aid from escheat funds. Appropriates for 2004-05 $21,344,000 from the Escheat Fund to the Board of Governors of The University of North Carolina and $718,396 to the State Board of Community Colleges for need-based student financial aid. Directs Director of the Budget to include General Fund appropriations in these amounts in the proposed 2005-07 fiscal biennium continuation budget. Appropriates for 2004-05 $195,000 from the Escheat Fund to the Board of Governors of The University of North Carolina for scholarship loans to NC high school seniors interested in preparing to teach in NC public schools who enroll at any of the three historically black universities without teaching fellows. Provides for ten grants of $6,500 each.

Area Health Education Center (AHEC) Funds. Requires Board of Governors of The University of North Carolina to allocate every fiscal year $24,000 of funds each to the Wilmington AHEC program and to the Region L AHEC program for information highway line charges.

UNC bond project modifications. Amends sec. 2 of SL 2000-3 to reduce allocations to certain university capital improvements projects and transfers funds to other projects. For NC A&T University, amendments (1) substitute "New School of Education" for "Central Cooling Plant Phase 1", (2) cancel "New Student Housing" and "Curtis Residence Hall-Replacement," transferring $5,621,400 in funds to "Scott Residence Hall-Replacement" to create a total allocation of $31,874,700; and (3) cancel "Holland Residence Hall-Comprehensive Renovation," transferring $856,800 in funds to "Zoe Barbee Residence Hall-Comprehensive Renovation," to create a total allocation of $4,550,600. For East Carolina University, the scope of "Expansion & Renovation of the Old Nursing Building" is reduced by $3 million to create a total allocation of $11,685,500. The unused funds are transferred to "'Old Cafeteria' Office Building-Comprehensive Renovation for Student Services/Academic Use" to create a total allocation of $7,442,100. For the University of North Carolina at Wilmington, the scope of renovations to "Alderman Hall Classroom Building" and "Kenan Auditorium" are reduced, and these funds are transferred to comprehensive renovations of the "King Hall Classroom Building," with a budget increase from $2,697,400 to $3,527,400, "James Hall Classroom Building," with a budget increase from $1,468,000 to $2,845,025, and "Kenan Hall Classroom Building," with a budget increase from $3,056,600 to $4,218,552. For Fayetteville State University, amendments (1) retitle "Comprehensive Renovation and Conversion of Spaulding (Old Infirmary) for Public Safety Facilities" to "Comprehensive Renovation of Spaulding for Student Health Services and Student Counseling" and change the project's scope accordingly, and (2) reduce funding for "William Collins Building-Comprehensive Renovation" by $300,000 and reallocate funds to new project entitled "Mitchell Building-Comprehensive Renovation for use by Public Safety $300,000." For North Carolina State University, amendments substitute "Harrelson Classroom Building-Replacement Classroom Facility Construction" for "Harrelson Classroom Building-Comprehensive Renovation." For UNC-Chapel Hill, amendments delete "Community Health Building-Consolidation of Programs" and disburse funds to other health affairs bond projects as follows: (1) $10,625,747 to "School of Medicine-Medical Research Building-Comprehensive Renovation of Classroom & Laboratory Space," for a total of $23,520,747; (3) $1,040,600 to "Burnett Womack Building Research Laboratory-Comprehensive Renovation, for a total of $25,888,600; and (4) $6,673,653 to "Berryhill Hall Laboratory Building-Comprehensive Renovation" for a total of $17,373,653.

Fayetteville State University and North Carolina School of the Arts retain real property proceeds. Permits Fayetteville State University and School of the Arts to retain proceeds from sale of their respective chancellors' residences and appurtenant land for construction or acquisition of new chancellors' residences.

North Carolina School of Science and Math carryover/onetime expenditures. Amends GS 116-30.2 to include GS 116-30.3 in list of statutes for which School of Science and Math is designated as a special responsibility constitutent institution.

Evaluate science & math school tuition grants. Calls for study of need to continue providing four-year tuition grants pursuant to GS 116-238.1 to NC residents who graduate from the School of Science and Math and enroll in a constituent institution in The University of North Carolina. Directs School of Science and Math to collect data on median family income of students attending the school. Requires president of school and Board of Governors of The University of North Carolina to report to Joint Legislative Education Oversight Committee information collected and findings and recommendations of the Board of Governors. Requires committee to report to the 2005 General Assembly the information and findings it receives and its own findings and recommendations.

UNC-Chapel Hill continue to operate Horace Williams Airport. As title indicates. Requires UNC-CH to continue air transportation support for AHEC from Horace Williams Airport until a replacement facility becomes operational. Requires UNC-CH to report to Joint Legislative Commission on Governmental Operations by July 1, 2006, and biannually thereafter, on progress in locating a replacement facility for AHEC.

Restore bonds used for mold remediation. Allocates, from funds appropriated to Reserve for Repairs and Renovations for 2004-05, $8,906,642 to NC Central University to restore bond funds transferred for mold remediation.

Department of Health and Human Services

Centralize criminal record check functions. Requires DHHS to centralize activity related to coordination and processing of criminal record checks, including transfer of positions and funding, beginning January 1, 2005. DHHS must report details of centralization to General Assembly by January 1, 2005.

Study issues related to mentally ill residents of long-term care facilities. Instructs DHHS to work with long-term care providers and advocates for the elderly and mentally ill to study the care mentally ill individuals receive in long-term care facilities. The study shall include: (1) examining whether current statues and DHHS rules address people served by long-term care facilities; (2) exploring development of licensure categories within the adult care home and nursing home designations to address populations served; (3) examining adult care home rules; (4) determining how best to identify mentally ill individuals with mental health treatment needs; (5) examining criteria for admission of mentally ill persons to long-term care facilities; (6) recommending ways to improve quality of care for mentally ill individuals in such facilities along with the costs of those improvements; and (7) identifying specific problems caused by mixing elderly and mentally ill persons. Requires DHHS to report findings and definition of "mentally ill" for purposes of study to NC Study Commission on aging by October 1, 2005. Permits DHHS to use $150,000 in funds appropriated for 2004-05 to contract for study.

Community health grant funds. Allocates to Office of Research, Demonstrations, and Rural Health Development ("Office") $5 million of funds appropriated to DHHS for 2004-05. Requires Office to allocate funds as grants to federally qualified community health centers, state-designated rural health centers, and public health departments for care of uninsured or medically indigent patients. Prohibits expenditure of grant funds for compensation or benefits, to supplant federal funds or to finance or satisfy existing debt. Requires Office to work with NC Community Health Center Association to establish process for awarding grants, to develop auditing and accountability procedures, and to study the expansion of health centers and departments to serve the uninsured and indigent. Requires grant recipients to provide a written report of additional uninsured and medically indigent patients cared for and the services provided.

Medicaid. Amends provisions of schedule of services and payment bases set forth in sec. 10.19 of SL 2003-284. Sets payment basis for hearing aids at wholesale cost (was actual) plus a dispensing fee to the provider. For optical supplies, provides that payment for materials is to be made in accordance with 42 CFR 431.54(d) and that fees paid to dispensing providers are negotiated fees established by the state agency based on industry charges. Amends subdivision 22(a) of sec. 10.19(a) to provide for referral of Medicaid-eligible children by Community Care of North Carolina primary care physicians (was Carolina ACCESS primary care physicians). Eliminates requirement in sec. 10.19(o) that the income of a minor's parents be considered in determining whether a pregnant woman qualifies for Medicaid benefits. Deletes sec. 10.19(p), which provided one-year of continuous Medicaid enrollment for categorically needy families regardless of changes in income or assets.

Medicaid reserve fund transfer. Amends sec. 10.20 of SL 2003-294 to allocate $79,204,251 (was $62,500,000) for Medicaid programs for 2004-05.

Transfer of property to qualify for Medicaid/technical correction. Deletes subsection (i) of GS 108A-58, which provided that section applied only to transfers made before July 1, 1988.

Medicaid assessment program for ICF/MR facilities. Directs Secretary of HHS to implement a Medicaid assessment program for state ICF/MR facilities and ICF/MR facilities licensed under GS Ch. 122C. Imposes assessment effective October 1, 2004. Permits use of assessment funds only to draw down federal Medicaid matching funds or increase private ICF/MR facility rates. Assessment funds may not supplant state funds for private ICF/MR services, but must be used to reduce state funds for public ICF/MR services. Designates funds from assessment on licensed ICF/MR facilities to payment of increasing rates for such facilities.

Community Alternatives Programs. Requires DHHS to ensure that (1) expenditures for CAP programs do not exceed budgets; (2) CAP slots are fully allocated and filled; and (3) budgeted expenditures are not limited by nonallocation or delays in filing CAP slots. Provides that CAP for Disabled Adults shall be provided for 2004-05 to any eligible person who entered a nursing home before June 1, 2004, within the existing availability of the county allocation or services.

Disease management pilot programs. Instructs DHHS to work with managed care and other health care providers to establish a plan to identify and evaluate Medicaid enrollees at risk for chronic kidney disease. Calls for determination of whether early identification and management of risk factors can improve health and delay disease progression. Requires DHHS to prepare information regarding generally accepted standards of clinical care in the clinical management of high risk individuals and to report on cost savings and health outcomes resulting from early identification and clinical management of those at highest risk for chronic kidney disease.

Pilot program to test new approaches to managing access to and utilization of health care services to Medicaid recipients. As title indicates. Requires DHHS to implement at least two such pilot programs to determine if additional cost savings can be achieved. Directs DHHS to develop a payment methodology and to contract with a physician-owned and managed network with demonstrated success in improving cost-

effectiveness of Medicaid services outside NC. DHHS must report to General Assembly on implementation of programs not later than February 1, 2005.

PACE pilot program funds. Requires DHHS's Division of Medical Assistance ("Division") to develop pilot program to implement the Program for All-Inclusive Care for the Elderly ("PACE"). Directs Division to plan one pilot site for southeastern NC and the other for western NC. Pilot program must be designed to access federal Medicaid and Medicare funds to provide acute and long-term care services for older patients through interdisciplinary teams. Allocates $123,156 of funds appropriated to Division in 2004-05 for two positions in Division to develop pilot programs or for actuarial analysis used to develop the program. Requires DHHS to report to General Assembly on March 1, 2005 on PACE pilot program development.

DHHS study Medicaid institutional bias. Directs DHHS to contract with independent entity to study whether state's Medicaid program favors support for individuals in institutional settings over support for those living at home, and, if so, to recommend ways to alleviate this bias. Directs DHHS to report results to North Carolina Study Commission on Aging by January 2005. Permits DHHS to use up to $150,000 of funds available for 2004-05 to fund study.

NC Health Choice eligibility; premium contribution. Amends GS 108A-70.21 by: (1) eliminating subsection (a)(4) provision making enrollment in program continuous for one year; (2) amending subsection (a)(4) to state that only medical expenditures incurred after the date the family has applied for program enrollment are covered and to provide for a prorated premium rate for the first month of coverage; and (3) adding subsection (e)(1), effective January 1, 2006, which provides for a minimum premium contribution of $10 per child per month, not to exceed $20 per family per month, for children whose family income is above 150 percent of the federal poverty level. Directs DHHS to develop system for premium payment by such families.

NC Health Choice administration and claims processing. Instructs DHHS to issue a Request for Proposal to contract for administration and claims processing of the NC Health Choice program. Requires a signed contract with selected contractor not later than July 1, 2005, and full implementation of administration and claims processing not later than January 1, 2006. Repeals Part 5 of Art. 3 of Ch. 135 effective January 1, 2006.

NC Health Choice enrollment management. Limits state funds expended for NC Health Choice in 2004-05 to amount of state funds appropriated to match federal funds for program for 2004-05. Requires DHHS to maximize number of children served within existing funds.

Foster care and adoption assistance payments. Amends maximum rates set forth in sec. 10.46(a) of SL 2003-284 as follows: (1) for children 5 and under, $415 per month (was $365); (2) children aged 6 through 12, $465 per month (was $415); and (3) children aged 13 through 18, $515 per month (was $465).

Special Children Adoption Fund. Adds subdivision (c) to sec. 10.47 of SL 2003-284 requiring DSS to monitor expenditures in Special Children Adoption Fund and redistribute unspent funds to ensure that funds are used according to established guidelines. Requires DSS to report to General Assembly on activities and expenditures of program no later than December 1, 2004, and June 30, 2005.

Funds for child protective services staff. Allocates $5 million of DHHS-appropriated funds to be used to hire additional child protective services staff for 2004-05. Directs DSS to distribute funds based on formula that considers needs of counties with high caseloads for child protective services workers. Requires DHHS to report on use of funds to General Assembly no later than January 1, 2005.

Child welfare system reform. Directs DHHS to transfer funds to the General Assembly to hire an independent consultant to evaluate the state's child welfare system and provide recommendations for reform. Directs Fiscal Research Division to issue a request for proposal for independent consultant. Requires consultant to present final report to General Assembly no later than October 1, 2005.

Adult day services training and reimbursement methodology. Directs DHHS to use up to $250,000 for 2004-05 to contract with national adult day services resource center for training and consultation for adult day services providers and consultants. Requires consultant to study reimbursement for adult day services and make recommendations regarding changes to reimbursement methodology. Requires that final report be submitted to Study Commission on Aging by January 1, 2005.

Administration of reduction in funds to area authorities. Establishes procedures for administering $10 million reduction in funds. Instructs Division of Mental Health, Developmental Disabilities, and Substance Abuse Services to: (1) apply the reduction to area authority funds that have reverted in each of the past two fiscal years; and (2) apportion the reduction across disability groups based on the proportion of funds reverted for each disability fund code in 2003-04.

Funds for PATH Program residence purchase. Permits DHHS to use $500,000 from the Trust Fund for Mental Health, Developmental Disabilities, and Substance Abuse Services and Bridge Funding Needs ("mental health trust fund") to purchase a residence for use by the PATH Program at the Murdoch Center.

Use of mental health trust fund monies for capital improvements and expansions at ADACT Centers. Permits DHHS to use up to $3,500,000 from mental health trust fund for purposes indicated in title.

Study financing of mental health, developmental disabilities, and substance abuse services. Directs DHHS to perform study as title indicates. Requires DHHS to report findings and recommendations to General Assembly no later than July 1, 2005.

Area program and county program transition flexibility. Amends GS 122C-115(a) to permit a county that belongs to an area authority and decides to provide its services through a county- or multicounty-program to remain a member of the area authority through the end of the subsequent fiscal year. Expires July 1, 2005.

Mental health treatment courts. Requires that the Admin. Office of the Courts (AOC) establish pilot programs that add mental health treatment component aimed at providing treatment to repeat adult offenders to the existing drug treatment courts in judicial districts 15B, 26, and 28. Directs AOC and the DHHS to collaborate in establishing a plan for the court process, treatment services, and the administration of the pilot programs. Requires that AOC report on program implementation to General Assembly on or before March 1, 2005. Appropriates $36,161 from the Trust Fund for Mental Health Developmental Disabilities, and Substance Abuse Services and Bridge Funding Needs to the Judicial Dep't for 2004-05 for administrative costs associated with programs, $20,000 of which shall be used to obtain an independent evaluation of the effectiveness of the pilot programs; and $137,940 from the Trust Fund to DHHS for 2004-05 for mental health treatment services.

Public Health Task Force reporting requirement. Requires that DHHS provide a detailed report on recommendations made by the Public Health Task Force to House and Senate Appropriations subcommittee on Health and Human Services, including an implementation schedule with fiscal impact on state and county governments.

Early Intervention reporting requirement. Requires that DHHS report to General Assembly by Jan. 30, 2005, on the number of children referred to the Early Intervention program and the number and types of services provided to the children and the fiscal impact of the program.

Aids drug assistance program. Amends SL 2003-284, Sec. 10.31, to require that DHHS make an interim report on program utilization by Jan. 1, 2005, and a final report on May 1, 2005.

Maximize ADAP program funding and AIDS/HIV testing. Requires that DHHS budget all 340B rebates received from pharmaceutical purchases for ADAP for use in the ADAP program and place a priority on the use of funds for testing. Provides that DHHS shall consider changing the ADAP program to a six-month eligibility process and implement that change if a cost savings is shown, Dep't to report its findings to the House and Senate HHS Appropriations subcommittees in its Jan. report.

North Carolina Public Health Department incubators. Appropriates $2.25 million from the General Fund to DHHS for 2004-05 to be allocated to the NC Institute for Public Health at UNC-CH to coordinate the development of "public health incubators." Requires that DHHS report to the General Assembly on the use of funds no later than Jan. 12, 2005.

Funds for school nurses. Requires that DHHS use $1.75 million of appropriated funds for a school nurse initiative to fund 35 school nurses in communities that establish need according to prescribed criteria. Requires that DHHS report to the General Assembly on the use of the funds allocated by Dec. 1, 2004.

Hospital emergency department data reporting. Effective Jan. 1, 2005, repeals GS 130A-476(f) and enacts new GS 130A-480 requiring that the State Health Director develop a syndromic surveillance program for hospital emergency dep'ts designed to detect and investigate health threats resulting from a terrorist incident using chemical, nuclear or biological agents, or an epidemic or infectious, communicable, or other disease. Establishes type of data to be reported and provides for privacy protections for certain patient data.

Authorize Child Care Commission to adopt rules for child care facilities for medically fragile children. Enacts new GS 110-88(13) as title indicates.

Criminal history record checks for local child care centers. Provides that it is the General Assembly's intent that the Div'n of Child Development conduct criminal history record checks for local child care centers during 2004-05 and authorizes Div'n to use lapsed salary funds to support up to three additional temporary positions during 2005 to eliminate backlog, position approval process to be expedited.

Increase North Carolina Partnership for Children Board membership. Amends GS 143B-168.12(a)(1) as title indicates, increasing membership from 25 to 26 members, new member to be the Director of the More at Four Pre-Kindergarten Program or designee.

More at Four Program. Amends SL 2003-284, Sec. 10.40, to require that DHHS use $50,979,002 (was, $41,921,800) in the 2004-05 fiscal year to implement Program. Deletes provision requiring that Dep't use nonobligated funds for 2003-04 fiscal year to reduce waiting list and replaces it with provision requiring that unfilled slots be shifted to counties with waiting lists through Jan. 30, 2005. Requires that progress report be submitted by DHHS to General Assembly by Jan. 1, 2005, and May 30, 2005. Enacts new Sec. 10.40.(f), requiring that beginning with 2004-05 fiscal year the Program shall establish income eligibility requirements for the program of 75% of state median income.

Department of Agriculture and Consumer Services

Sale of Umstead Farm dairy herd and use of proceeds. Authorizes the Dep't of Agriculture and Consumer Services (DACS) to sell Umstead Farm dairy herd and place sale proceeds in nonreverting special revenue fund within Dep't and establishes purposes for which funds can be used. Provides that beginning with the 2005-07 biennium the special revenue fund shall be included in the Governor's recommended budget.

Study funding for DACS research stations. Requires that DACS and the Agricultural Research Service, NCSU, study the manner in which the 18 DACS research stations are funded and submit a final joint report to House and Senate Appropriations Subcommittees on Natural and Economic Resources by Dec. 15, 2004.

Department of Environment and Natural Resources

Grassroots Science Program. Amends SL 2003-284, Sec. 11.1(a), to require that funds appropriated to Dep't of Environment and Natural Resources (DENR) for the Grassroots Science Program be increased to $2,717,707 (was, $2,551,760) for 2004-05. Further requires that of those funds, $250,020 be allocated for 2004-05 as grants-in-aid of $41,670 to listed unfunded members of the Grassroots collaborative and that DENR modify the grant appropriations formula to add museum attendance as a factor. Provides that no more members shall be added to the Grassroots collaborative.

No new funds for statewide beaver damage control program. Amends SL 2003-284, Sec. 11.2, to delete provision requiring that Wildlife Resources Fund use $449,000 for 2004-05 for beaver damage control program. Adopts new provision appropriating same amount from Wildlife Resources Fund to Wildlife Resources Comm'n for same purpose.

Twenty-four hour access to Fort Fisher State Recreation Area/funds for department activities at Fort Fisher. Enacts new GS 113-35(b1) requiring twenty-four hour access upon fee payment as title indicates. Requires that of funds appropriated to DENR, $25,000 shall be used for education, conservation, and enforcement activities at Fort Fisher.

Wildlife Resources Commission fiscal responsibility and accountability. Amends GS 113-306(b) to require that funds be credited by the State Treasurer to a separate account within the Wildlife Resource Fund and that account shall not be commingled with other funds in Fund. Amends GS 143-250 to establish the Wildlife Resources Fund as a special revenue fund within the Dep't of the State Treasurer and makes technical and conforming changes.

Wildlife Resources Commission subject to service charge for sale of surplus property/recyclable material. Makes Comm'n subject to GS 143-64.05 as title indicates.

Cost share funds for limited resource/new farmers clarification. Amends GS 143-215.74(b)(9) to provide that a beginning farmer may include an entity as long as each member of entity has not operated a farm for more than 10 years and each member will materially participate in farm's operation. Further amends definition of "limited-resource farmer" to impose additional eligibility requirement that farmer have gross household income in prior two years that is below the greater of the county median household income or two times the national poverty level.

Authorize the use of available funds for purchase of Bertie County Forestry Headquarters building/construction of McDowell County Forestry Headquarters building. Authorizes Div'n of Forest Resources to use available funds for 2004-05 as title indicates.

State match for federal safe drinking water act funds and for federal water quality act funds. Authorizes DENR to transfer up to $6.9 million from the General Water Supply Revolving Loan Account to DENR to match the federal grant funds authorized by sec. 1452 of Safe Drinking Water Act amendments of 1996.

Expand Express Review Pilot Program. Requires that DENR continue Express Review Pilot Program and expand Program to two additional regional offices within the Dep't. Further requires that Dep't continue and support the eight positions authorized by SL 2003-284, Sec. 11.4A to administer Program and authorizes Dep't to establish eight additional positions. Requires that DENR report on success of Program to Environmental Review Comm'n no later than March 1, 2005.

Leaking Petroleum Underground Storage Tank Cleanup Fund solvency. Appropriates $13.5 million from the Clean Water Management Trust Fund (CWMTF) and $13.5 million from the Highway Trust Fund to the Commercial Leaking Petroleum Underground Storage Tank Cleanup Fund for 2004-05 to be used for the assessment and cleanup of discharges and releases of petroleum from commercial underground storage tanks. Appropriates $1.5 million from CWMTF and $1.5 million from the Highway Trust Fund to the Noncommercial Leaking Petroleum Underground Storage Tank Cleanup Fund for 2004-05 to be used for assessment and cleanup of discharges and releases of petroleum from noncommercial underground storage tanks. Appropriates $52,000 from the Commercial Leaking Petroleum Underground Storage Tank Cleanup Fund to DENR for 2004-05 to establish an Accounting Tech IV position to expedite processing of Fund claims and $76,000 for 2004-05 as needed to cover the cost of any legislative salary increase for personnel administering underground storage tank program.

Amends GS 143-215.94E(e2) (pre approval of tank cleanup by owner) to prohibit DENR from preapproving claims that will be paid from the Commercial or Noncommercial Funds unless Dep't determines that sufficient funds are available. Amends SL 2003-352, Sec. 10, to require that in assessing the degree of risk posed by a petroleum leak, DENR should give priority to the releases that pose the greatest risk. Further provides that in paying claims, Dep't shall consider the availability of funds and the order in which the discharge or release was reported. Makes technical corrections.

Onetime grants to Swain County. Authorizes the Board of Trustees of the CWMTF to provide a grant up to $35,706 and the Ecosystem Enhancement Program to provide a grant up to $40,264 to Swain County for 2004-05 to compensate for the loss of ad valorem taxes associated with the purchase of the Needmore game lands by the Wildlife Resources Comm'n.

Expand one-stop permit assistance program statewide. Enacts new GS 143B-279.12 requiring that DENR establish a one-stop environmental permit application assistance program for all its regional offices. Requires that upon receipt of permit application, Dep't must provide a time frame within which final decision will be issued and provides that if decision is not issued within 60 days of application's receipt, permit shall be automatically granted, except where applicant agrees to a revised time frame or where applicant submits a substantial amendment to its application. Further requires that no later than Oct. 1, 2004, DENR shall report to General Assembly on the number of permits which took longer than 90 days to issue and the reasons for the delay. Requires that DENR expand the one-stop permit pilot program established under SL 200-67, Sec. 13.7 statewide.

Prohibit certain grants from the Clean Water Management Trust Fund. Provides that no grant may be made from CWMTF to the Wildlife Resources Comm'n unless the balance in the Wildlife Resources Fund established by GS 143-250 plus other funds available to Comm'n fall below $10 million.

Monitoring and emergency cleanup funds for TEXFI site contamination. Authorizes transfer of up to $50,000 from CWMTF to DENR for 2004-05 to be used to monitor TEXFI site contamination and emergency cleanup activities.

Department of Commerce

Council of Government Funds. Amends SL 2003-284, Sec. 12.2(c), to provide that funds appropriated for the 2004-05 fiscal year shall be paid in installments, the first no later than Sept. 1, 2004 (was, Sept. 1, 2003).

One North Carolina Fund. Substantially similar to H 1400, introduced 5/12/04, except amends new GS 143B-437.71(b) to provide that fund may be used for construction of new buildings or expansion and that program guidelines developed by Dep't of Commerce for the One North Carolina Industrial Recruitment Competitive Fund shall apply to One North Carolina Fund until its own guidelines are adopted. Requires that One North Carolina guidelines be adopted on or before Aug 1, 2004.

Tourism promotion funds. Repeals SL 2003-284, Sec. 12.3 (tourism promotion funds), and replaces it with new sec. requiring that funds be allocated, after matching requirements are met, as follows: (1) counties with 30 lowest tourism expenditures: up to $7,500 yearly; (2) counties with 31st to 60th highest expenditures: up to $3,500 for two of next three years; (3) remaining counties: $3,500 in alternating years.

One NC Funds to retain traditional industries. Requires that the Dep't of Commerce use $43,500 from One North Carolina Fund for 2004-05 for economic development grants to municipalities to retain traditional manufacturing employers with substantial investments in machinery and equipment, upon dollar-to-dollar match by municipality.

Industrial Development Fund. Amends SL 2003-284, Sec. 12.5 (reducing cash balance of Industrial Development Fund), to change effective date to June 30, 2004 (was, June 30, 2003).

Regional Partnerships Vision Plans. Repeals SL 2002-126, Sec. 8.3 (requiring the development of five-year vision plan), and replaces it with new sec. appropriating $1.75 million from the General Fund to the North Carolina Partnership for Economic Development, Inc. for 2004-05 to be used to implement a strategic economic development plan that determines existing business clusters, develops ways to strengthen clusters, develops economic development initiatives, provides continuous monitoring of the regional economy, and integrates the NC Community College System and UNC into economic development efforts.

Regional Economic Development Commission allocations. Amends SL 2003-284, Sec. 12.7(b), to require that $125,681 of funds allocated to the Global TransPark Development Comm'n in 2004-05 be redistributed to the seven Regional Economic Development Comm'ns.

Rural Economic Development Center. Amends SL 2003-284, Sec. 12.11(d)(1), to provide that for 2004-05 Center shall allocate $997,410 for direct grants to local community development corporations. Deletes provisions that made a distinction between amount of funds to be allocated to corporations that have and have not received state funds.

Opportunities Industrialization Center Funds. Amends SL 2003-284, Sec. 12.12(a), to provide that funds appropriated for 2004-05 shall be equally distributed among certified centers (was, divided funds amongst four specific centers).

Judicial Department

Increase maximum magistrate authorizations/study magistrate funding. Amends GS 7A-133(c) to increase by one the maximum number of magistrate authorizations for Durham, Forsyth, and Davie counties. Requires AOC to evaluate the statewide need for magistrates and reexamine the caseload formula it uses to determine that need and report to the General Assembly by March 15, 2005.

Collection of Worthless Check Funds. Amends SL 2003-284, Sec. 13.2, to authorize the Judicial Dep't to use balance remaining in Fund on June 30, 2004, for the purchase or repair of office or information technology equipment. Further authorizes Dep't to use up to $500,000 from Fund during 2004-05 to create up to 10 positions and provide equipment for district attorney's offices establishing or expanding programs for the collection of worthless checks. Requires that Dep't report to General Assembly by March 1, 2005, on the districts in which expansion has been implemented.

Office of Indigent Defense Services/expansion funds/juvenile defender. Authorizes Office to use up to $1,250,637 in appropriated funds for the expansion of existing offices currently providing legal services to the indigent population under the oversight of the Office of Indigent Defense Services, to create up to 12 new attorney positions and six new support staff positions. Further authorizes Office to use up to $262,407 for the creation of an Office of the Juvenile Defender, including one attorney and one support staff position.

Establish a public defender's office in the first defender district. Identical to H 1597, introduced 5/20/04.

Pilot program for provision of courtroom testimony of lab analysts by video conference/direct judicial department to study feasibility of a statewide program for providing testimony in that manner. Substantially similar to H 1740, introduced 5/27/04, except establishes pilot program in Superior Court and decreases amount of fund Judicial Dep't shall use for expenses of pilot program to $93,229 *(was,* $118,870).

Domestic violence reserves. Requires that $1,728,244 of funds appropriated to the Judicial Dep't for 2003-04 and $121,756 of funds appropriated to the Dep't of Justice (DOJ) for 2003-04 be placed in reserve and released if H 1354 or a substantially similar bill becomes law.

Department of Justice

Study cost of the DCI-PIN system. Requires the Office of State Budget and Management study the cost of the DCI-PIN system and report its findings to the General Assembly by March 1, 2005.

Reduce backlog of rape kits. Authorizes DOJ to contract with private entities to reduce the backlog of rape kits in storage in local law enforcement agencies as of July 1, 2004, and requires that DOJ report to General Assembly on the number of kits analyzed by private entities and whether the analyses resulted in arrests or convictions by May 1, 2005.

Department of Juvenile Justice and Delinquency Prevention

State funds may be used as federal grant matching funds. Amends SL 2003-284, Sec. 15.4, to authorize funds appropriated for 2004-05 to be used as matching funds for Juvenile Accountability Incentive Block Grants.

Operation of Buncombe Youth Detention Center. Amends SL 2003-284, Sec. 15.8, to require that the Dep't of Juvenile Justice and Delinquency Prevention continue to operate the Buncombe Youth Detention Center at its current site during 2004-05 and maintain the same average population, staffing levels and budget as in 2003-04.

Planning for new youth development centers. Directs Dep't of Juvenile Justice and Delinquency Prevention and the State Construction Office to continue planning and design for up to 512 youth development centers beds. Directs Dep't to submit a plan for new youth development centers by Dec. 1, 2004, to the Joint Legislative Corrections, Crime Control, and Juvenile Justice Oversight Committee, the chairs of the House and Senate Appropriations Committees and the chairs of the House and Senate Appropriations subcommittees on Justice and Public Safety. Lists elements plan must contain.

Youth development center staffing. Authorizes Dep't of Juvenile Justice and Delinquency Prevention to reclassify vacant positions to establish up to 18 new positions: 14 youth counselors, 2 youth counselor supervisors, and 2 mental health clinicians. New positions to be assigned to Stonewall Jackson and Samarkand Youth Development Centers. Directs Dep't to prepare a long-range plan for establishing a therapeutic staffing model to be used in all youth development centers. Dep't is to report by Feb. 1, 2005, to the chairs of the House and Senate Appropriations subcommittees on Justice and Public Safety on the long-range plan and its costs. Authorizes Dep't to use up to $100,000 in salary reserves to reallocate existing positions to youth counselor and youth counselor supervisor positions.

Juvenile recidivism. Directs the NC Sentencing and Policy Advisory Comm'n to prepare biennial reports on juvenile recidivism in NC.

Electronic monitoring of juveniles. Directs Dep't of Juvenile Justice and Delinquency Prevention, in consultation with the Fiscal Research Division, to study the issue of electronic monitoring of juveniles and report to the chairs of the House and Senate Appropriations subcommittees on Justice and Public Safety by March 1, 2005, regarding such programs.

Alternatives to juvenile commitment/juvenile crime prevention councils. Directs that of the funds appropriated to the Dep't of Juvenile Justice and Delinquency Prevention $500,000 be used for demonstration projects of the Juvenile Crime Prevention Councils to identify effective alternative community programs for juvenile offenders who would otherwise have been committed to youth development centers.

Education of juveniles committed to the Dep't of Juvenile Justice and Delinquency Prevention. Directs Dep't to develop a report on the assessment of juveniles committed to the Dep't and the curricula, education plans, and alternative education programs for those juveniles and submit the report to the chairs of the House and Senate Appropriations Committees and the chairs of the House and Senate Appropriations subcommittees on Justice and Public Safety by March 1, 2005.

Department of Correction

Shift pay for security staff. Amends sec. 16.3 of 2003 budget act to allow Dep't of Correction (DOC) to use funds available for both years of 2003-2005 biennium for shift pay for security staff. Postpones deadline for Dep't of Correction report to Appropriations subcommittees on Justice and Public Safety from April 1, 2004, to March 1, 2005.

Security staffing formulas. Amends sec. 16.4(c) of 2003 budget act to postpone deadline for Dep't of Correction to report to Appropriations subcommittees on Justice and Public Safety on DOC implementation of staffing recommendations of National Institute of Corrections from Feb. 1, 2004, to Feb. 1, 2005. Directs that report must provide an updated staffing relief formula as well as methodology used to develop it.

Inmate costs/clothing and laundry services. Amends sec. 16.6(c) of 2003 budget act to allow funds available for both years of 2003-2005 biennium for certain clothing and laundry services for inmates.

Federal grant matching funds. Amends sec. 16.10 of the 2003 budget act to allow DOC to use up to $900,000 in fiscal 2003-2004 and $650,000 in fiscal 2004-2005 for matching funds to receive federal grants.

Contract with "Energy Committed to Offenders." Amends sec. 16.13 of 2003 budget act to direct DOC, after consultation with the Sentencing and Policy Advisory Comm'n and with Energy Committed to Offenders, to recommend to the 2005 General Assembly the best way of determining the effectiveness of the program involving the purchase of certain prison beds.

Inmate custody and classification system. Directs DOC to review the current inmate custody and classification system, with assistance from National Institute of Corrections and report its recommendations to the chairs of the Appropriations subcommittees on Justice and Public Safety by April 15, 2005.

Nonprofit programs. Amends sec. 16.17 of 2003 budget act to require annual reports prepared by Harriet's House, Summit House, and Women at Risk, respectively, for Joint Legislative Comm'n on Governmental Operations to include number of clients who have been rearrested within three years after successfully completing program.

Electronic monitoring program. Directs DOC to issue a request for proposal (RFP) for electronic monitoring equipment and monitoring services for Div. of Community Corrections' electronic house arrest and monitoring programs. Requires DOC to provide Fiscal Research Division with copy of draft RFP. Directs that RFP be issued by Dec. 31, 2004, for a term to begin July 1, 2005. Requires DOC to report by March 1, 2005, to chairs of the Appropriations Committees and Appropriations subcommittees on Justice and Public Safety on responses to RFP.

Inmates eligible for parole. Amends sec. 16.20 of 2003 budget act to direct that the Post-Release Supervision and Parole Comm'n report made by Jan 15 and July 15 of each year to Appropriations subcommittees on Justice and Public Safety and the Joint Legislative Corrections, Crime Control, and Juvenile Justice Oversight Committee concerning inmates eligible for parole must include the projected number of parole-eligible inmates to be paroled or released by the end of the 2003-2004 fiscal year and each of the next five fiscal years, beginning with the 2004-2005 fiscal year.

Report by Post-Release Supervision and Parole Comm'n. Amends sec. 16.21 of 2003 budget act to direct Comm'n to report by Oct. 1, 2004, to chairs of the Appropriations Subcommittees on Justice and Public Safety on the implementation of a plan for restructuring the organization and operation of the Comm'n and implementing staff reductions to reflect changes in workload. Directs that report must include the number of parole reviews, paroles, and post-release supervision reviews conducted per analyst per year for the last five years.

Criminal Justice Partnership Program. Amends sec. 16.16 of the 2003 budget act to require that DOC report on the status of the State-County Criminal Justice Partnership Program must include an evaluation based on standards designed by the Div. of Community Corrections in consultation with the Fiscal Research Division and the DOC Division of Research and Planning. Directs the Joint Legislative Corrections, Crime Control, and Juvenile Justice Oversight Committee to review the program funding formula and recommend any necessary changes to the 2005 General Assembly.

Collection of offender fees. Amends sec. 16.51(a) of the 2003 budget act to require that the annual report on the collection of offender fees must include, for each judicial district, a series of statistics concerning offender fees, total fines, and restitution collected, distinguished by whether the offender's probation is supervised or not, and including a determination whether the district enters offender information for all offenders or only when the offender makes a payment. Adds new sec. 16.15(b) to require the Judicial Dep't to use new deputy clerk positions to ensure that offender accounts payable information is entered into the financial management system within a reasonable time after sentencing.

Department of Crime Control and Public Safety

Victims' compensation and medical treatment. Amends GS 15B-2(1) concerning compensation under the North Carolina Crime Victims Compensation Act to provide that allowable expenses for medical care, counseling, rehab, medically-related property, and other medical treatment is limited to 66 2/3% of the customary amount charged by the provider for the treatment or care and that the provider must accept that compensation as payment in full.

Department of Administration (DOA)

Allocation of petroleum violation escrow funds. Appropriates $5 million from Special Reserve for Oil Overcharge Funds (from case of U.S. v. Stripper Well) to Dep't of Administration for fiscal 2004-2005 for projects approved by State Energy Policy Council in April 2004. Appropriates $1 million from same reserve (from case of U.S. v. Exxon) to Dep't of Health and Human Services for fiscal 2004-2005 for the Weatherization Assistance Program.

Burial services for veterans on weekends. Adds new GS 65-44 to direct state veteran cemeteries to conduct burial services for veterans on any day of the week, except when the day falls on a state holiday.

Study of state-funded advertising. Directs the Office of State Budget and Management (OSBM) to conduct a study, with the Dep't of Administration, of state agency requirements for advertisements and public service announcements, including the extent to which the North Carolina Agency for Public Telecommunications can provide services at a savings to the state. Directs OSBM to report recommendations to the chairs of the Appropriations Subcommittees on General Government by Dec. 1, 2004.

Escheat funds for veterans' scholarships. Amends sec. 18.5(c) of 2003 budget act to appropriate $3.9 million for fiscal 2004-2005 from Escheat Fund to the Dep't of Administration for veterans scholarships (now, $3.7 million for fiscal 2003-2005).

Proceeds from sale of Polk Building in Charlotte. Establishes a reserve fund in OSBM for fiscal 2004-2005 of $890,634 from proceeds of sale of James K. Polk Building in Charlotte. Reserves $730,533 for rental expenses incurred by state agencies as a result of their relocation and $160,101 for the relocation of the offices of certain state agencies still housed in the building.

Study of advocacy programs in Dep't of Administration. Amends sec. 18.2 of 2003 budget act to direct Sec'y of DOA to continue study completed in fiscal 2003-2004 concerning the functioning of advocacy programs housed in DOA. Directs that the study consider both the advocacy and service functions of the Division of Veterans Affairs, the Council for Women and the Domestic Violence Comm'n, the Comm'n of Indian Affairs, the Governor's Advocacy Council for Persons with Disabilities, the Human Relations Comm'n, and Youth Advocacy and Involvement Office. Extends deadline for study to May 1, 2005 (now, May 1, 2004).

State veterans cemetery. Allocates up to $300,000 of DOA appropriation to fund the design and advance planning cost for the expansion of the state veterans cemetery located in Jacksonville.

Light Ground Pocosin Property to Wildlife Resources. Reallocates property in Pamlico County from DOA to the Wildlife Resources Comm'n.

Blount Street Property Sale. Authorizes DOA to use $500,000 to implement Blount Street Property sale.

Office of the State Auditor

Auditor to reduce span of control. Directs State Auditor to eliminate two senior management positions, effective Jan. 1, 2005, so that the office includes no more than two Deputy Auditor positions.

Department of Insurance (DOI)

Sunset removed for use of Insurance Regulatory Fund monies. Removes expiration date (June 30, 2004) from provisions expanding the purposes for which Insurance Regulatory Fund monies may be used by Dep't of Insurance and crediting various fees into the fund.

Informational Technology

Multiyear maintenance contracts. Amends sec. 21.2(a) of 2003 budget act to allows information technology infrastructure maintenance agreements to be entered into prior to July 1, 2005 (now, July 1, 2004) and removes requirement that the Office of Information Technology Services refund certain excess revenues to its customers in the same manner as is required by the federal government.

Information technology oversight. Establishes 16-member Joint Legislative Oversight Committee on Information Technology to examine system-wide information technology issues affecting state government. Includes eight members of Senate appointed by Pres. Pro Tem., two of whom must be members of Senate Appropriations Committee. Includes eight House members appointed by House Speaker, two of whom must be members of the House Appropriations Committee. Directs Pres. Pro Tem and House Speaker to each appoint a co-chair. Provides that committee members serve two-year terms, beginning at the convening of the General Assembly in each odd-numbered year, with no prohibitions against being reappointed. Directs committee to submit annual reports to the General Assembly on or before the convening of the regular session of the General Assembly each year.

Department of Revenue (DOR)

Call center fee use. Amends sec. 22.6(a) of 2002 budget act to provide that $3 million designated for fiscal 2003-2005 to pay for and equip a central taxpayer telecommunications service center does not revert at end of 2004-2005 fiscal year but remains available until June 30, 2006, for operating costs of the service center.

Fee for taxpayer locator services and collection. Amends GS 105-243.1(e) to provide that DOR debt fee revenues may not be used for any purpose not directly and primarily related to collecting overdue tax debts, including the payment of contractors for collecting overdue tax debts, the payment for setoff fees charged by the U.S. Dep't of Treasury to recover tax owed to North Carolina, and to pay for taxpayer locator services, up to $100,000 per year.

Modify DOR Reporting to General Assembly. Amends sec. 22(c) of 2002 budget act to require DOR to report semiannually to the Joint Legislative Comm'n on Governmental Operations (LGCO) on the use of tax collection assistance fee revenues and the establishing of a central taxpayer telecommunication service center. Repeals GS 105-256(e) (requiring Sec'y of DOR to distribute reports he prepares to certain state entities). Amends GS 105-243.1(f) to require DOR to report semiannually (was, quarterly through June 30, 2005) to LGCO and Revenue Laws Study Committee.

Rules Review Commission

Payment of attorneys' fees. Provides that if a state agency files a petition for judicial review of a final decision of the Rules Review Comm'n and the Comm'n prevails in the action, the state agency must deposit in a special reserve fund a sum equal to the Commission's actual attorneys' fees.

Secretary of State

Transfer of business license information office. Transfers the Business License Information Office from Sec'y of State to the Community Colleges System Office, effective July 1, 2004.

State Board of Elections

Increase match funds for Help America Vote Act (HAVA). Amends sec. 25.1 of SL 2003-284 to allocate from funds of State Board of Elections $1,521, 918 for fiscal 2004-2005 to the Election Fund to meet the 5% matching requirement for Title II of HAVA (federal legislation). Allocates $1,232,508 for fiscal 2003-2004 and $2,211,625 for fiscal 2004-2005. Provides unexpended remainder of allocations for 2003-2004 and 2004-2005 reverts to the General Fund if the amount available to the state is less than projected. Updates estimates of amounts of funds North Carolina will need to meets its obligatory 5% match.

Office of State Budget and Management

North Carolina Humanities Council reporting. Amends sec. 26.1 of SL 2003-284 to require council to provide certain reports to the Joint Legislative Comm'n on Governmental Operations and the Fiscal Research Division by Jan. 15, 2005 (was, Jan. 1, 2004) with respect to activities and finances for fiscal 2004-2005.

Salaries for magistrates. Amends GS 7A-171.1(a) to establish salaries for full-time magistrates as follows:

Table of Salaries of Full-Time Magistrates

Step Level	Annual Salary
Entry Rate	$27,889
Step 1	30,525
Step 2	33,393
Step 3	36,523
Step 4	39,952
Step 5	43,721
Step 6	47,864

Amends GS 7A-171.1(a)(3) to provide that a magistrate who is licensed to practice law in North Carolina or any other state shall received a salary indicated in step 4. Deletes provisions concerning special salary arrangements for part-time magistrates holding law degrees and full-time magistrates who acquire licenses to practice law while holding the office of magistrate. Amends GS 7A-171.1(a1), governing the salaries of magistrates who on June 30, 1994, were paid at a salary level of less than five years of service under the table in effect on that date, to set salary levels as follows.

Less than 1 year of service	$22,325
1 or more but less than 3 years of service	23,389
3 or more but less than 5 years of service	25,530.

Salaries for General Assembly principal clerks. Amends GS 120-37(c) to set salary of principal clerks at $89,306

Salaries for sergeant-at-arms and reading clerks. Amends Gs 120-37(b) to set salaries of sergeant-at-arms and the reading clerk in each house at $311 per week.

Salaries for legislative employees. Directs the Legislative Services Officer to increase salaries of nonelected employees of the General Assembly by $83.34 per month.

Salaries for community college personnel and University of North Carolina personnel exempt from the State Personnel Act (EPA employees). Directs the transfer of funds to the North Carolina Community College System Office and the Board of Governors of The University of North Carolina, respectively, necessary to provide for an annual salary increase of $83.34 per month, including funds for the employer's retirement and social security contributions

Salaries for most state employees Amends sec. 30.13 of the 2003 budget act to provide for an increase of $83 34 per month in the salaries of all permanent full-time state employees subject to State Personnel Act or paid from the General Fund or the Highway Fund and all permanent part-time State employees by pro rata amounts of such increase

Salary of the director of the Housing Finance Agency. Amends GS 122A-4(f) to provide that salary of the executive director of the North Carolina Housing Finance Agency shall be fixed by the Board of Directors of the agency, not by the General Assembly.

Salary adjustment fund. Authorizes the transfer of up to $5 million in the Reserve for Compensation Increase to the Salary Adjustment Fund for use in revising salary ranges to provide competitive salary rates for affected classifications and reallocation of positions to higher-level job classifications. Transfers $15,200 to fund in-range salary adjustments for certain positions in the Dep't of Environment and Natural Resources, Division of Water Quality, involving hydrogeological drilling testing.

Cost of living adjustments. Adds new GS 135-5(mmm) to provide a cost-of-living increase of 1.32% to the retirement allowances of those retiring under the Teachers' and State Employees Retirement System. Adds GS 120-4.22A(s) to provide same increase to those under the Legislative Retirement System, Adds new GS 135-65(y) to provide for a cost-of-living increase of 0.3% to the retirement allowances of those under the Judicial Retirement System.

Miscellaneous pension increases. Amends GS 58-86-55 to increase the monthly pension for members of the Firemen's and Rescue Squad Workers' Pension Fund from $158 per month to $160 per month.

State Health Plan

State Retirement System Retiree Health Benefit Fund. Adds new GS 135-7(f) to provide for a fund in which accumulated contributions from employers and any earnings on those contributions are to be used to provide health benefits to retired and disabled employees and their beneficiaries Provides that employer

contributions are irrevocable Provides that assets of fund are not subject to claims of creditors of the employees making contributions to the fund.

North Carolina Symphony under State Health Plan. Amends GS 135-40.1(6) and GS 135-40.2(a2) to make employees of the North Carolina Symphony Society, their eligible spouses, and their eligible dependent children eligible for coverage under the State Health Plan on a partially contributory basis. Effective July 1, 2004.

State Health Plan Prescription Drug Program. Provides that if a prescription drug program is developed that differs from the one in effect on May 10, 2004, the new program shall provide Plan members access to pharmacies located in and throughout the state and shall encourage the use of generic drugs. Prohibits the new program from being implemented until it has been approved by the General Assembly.

Preferred providers of emergency medical care. Amends GS 135-40.8(e) to provide that where qualified preferred providers are not reasonably available in medical emergencies, the Plan pays a negotiated amount (now required where qualified out-of-state providers are not reasonably available). Deletes language that provides that if a Plan member is not capable of making a decision about choosing an in-state qualified preferred provider and emergency services personnel transport the Plan member to a provider outside the Plan network, then the coverage amount is negotiated with the provider.

Capital Appropriations

Capital appropriations/General Fund For 2004-05 appropriates $22,492,000 to Dep't of Environment and Natural Resources for water resources development projects and $2,000,000 to Dep't of Commerce for State Ports Authority replacement of Port of Wilmington crane rail.

Water resources development project funds. Allocates DENR capital appropriations among the following projects:

Name of Project		2004-2005
(1)	Wilmington Harbor Deepening	$9,300,000
(2)	Morehead City Harbor Maintenance	1,000,000
(3)	Manteo (Shallowbag) Bay Channel Maintenance	2,000,000
(4)	B Everett Jordan Water Supply Storage	100,000
(5)	John H. Kerr Reservoir Operations Evaluation	600,000
(6)	Beaufort Harbor Maintenance Dredging (Carteret County)	80,000
(7)	Bogue Banks Shore Protection Study (Carteret County)	129,000
(8)	Surf City/North Topsail Beach Protection Study	350,000
(9)	West Onslow Beach (Topsail)	117,000
(10)	Swan Quarter (Hyde County) Flood Control Dikes	100,000
(11)	Hurricane Isabel Emergency Stream Cleanup – NE NC	2,000,000
(12)	Cape Fear River Basin Water Management Study	161,000
(13)	State Local Projects	2,339,000
(14)	Lower Lockwoods Folly Dredging	336,000
(15)	Currituck Sound Water Management Study	210,000
(16)	Aquatic Weed Control, Lake Gaston and Statewide	275,000
(17)	Deep Creek (Yadkin County) Water Management	2,000,000
(18)	Neuse River Basin Feasibility Study	400,000
(19)	Environmental Restoration Projects	700,000
(20)	Projected Feasibility Studies	200,000
(21)	Planning Assistance to Communities	95,000
Total		$22,492,000

Miscellaneous Provisions

Executive Budget Act applies. As title indicates.

Committee report. The House Appropriations Committee Report accompanying this act and dated June 4, 2004, shall be used to construe this act and shall be considered a part of this act.

Effective date. Unless otherwise provided, this act is effective July 1, 2004.

H 1414. 2004 APPROPRIATIONS ACT. Intro. 5/12/04. House amendments adopted 6/7/04 make the following changes to 2nd edition: (1) change adjusted appropriations from Highway Trust Fund as follows: Interstate System-(16,781,215), Urban Loops-(6,785,625), Aid to Municipalities-1,760,741), Secondary Roads-(738,170), Administrative Expense-(439,736), Leaking Underground Storage Tank Fund-15,000,000, Transfer to General

Fund-(66,513); (2) increases minimum salaries for certain community college faculty as follows: Vocational Diploma/Certificate or Less-$28,512, Associate's Degree or Equivalent-$28,944, Bachelor's Degree-$30,817, Master's Degree or Education Specialist-$32,478, Doctoral Degree-$38,874; (3)(a) change appropriation for community health grant funds to provide that of funds appropriated to DHHS, $5 million in nonrecurring funds shall be used for federally qualified health centers and $3 million in nonrecurring funds are to be used for state-designated rural health centers and public health departments; (b) direct Rural Health Development Office to work with NC Public Health Ass'n as well as the NCCHCA in establishing an advisory committee to award grant funds; (c) reduce percentage of funds that may be used for administrative expenses in grant program from 1.5 to 1;(4) add new provision *DHHS policies and procedures in At Risk Children's Program and Multiply Diagnosed Adults Program*, which directs DHHS to identify and eliminate administrative and fiscal barriers created by existing state and local policies in the 2 programs; (5) change the reduction in appropriation to DHHS for area mental health programs from $10 million to $5 million, increase the reduction in the DHHS Div. of Medical Assistance line to ($86,879,913), and decrease the reduction in the DHHS Div. of Mental Health line to ($5,713,000); (6) add new provision *State/county special assistance*, which provides that effective Oct. 1, 2004, the maximum monthly rate for residents in adult care home facilities shall be $1,096 unless adjusted by DHHS, transfer $5 million from institutional receipts in Div. of Mental Health, Dev. Disabilities, and Substance Abuse Services to the Div. of Social Services to cover the rate increase, and increase the reduction in the DHHS Div. of Mental Health line by $5 million and decrease the reduction in the DHHS Div. of Social Services line by $5 million; (7) amend provision on preferred providers of emergency medical care to state that the plan's use of "Cost-Wise" contract services is considered to be qualified preferred provider services: (8) make technical changes.

House amendment adopted 6/8/04 adds to the provision directing the State Board of Community Colleges to study the FTE funding formula a direction that the Board also consider modifications to its funding formulas to ensure that adequate funding is provided for high-cost programs

LEGISLATION ENACTED

SL 2004-3 (H 57). RANDOLPH TDA. *AN ACT TO ALLOW RANDOLPH COUNTY TO REAPPOINT MEMBERS OF ITS TOURISM DEVELOPMENT AUTHORITY.* Summarized in *Daily Bulletin* 2/24/03. Enacted June 8, 2004 Effective June 8, 2004.

NEXT SESSIONS

June 9, 2004

HOUSE convenes at 2:00 p.m.

SENATE convenes at 3:00 p.m.

5:2004|18

Daily Bulletin

ACTIONS BY THE NORTH CAROLINA GENERAL ASSEMBLY

Institute *of* Government—School of Government
The University of North Carolina at Chapel Hill
Legislative Reporting Service, Box 7294 State Legislative Building, Raleigh, NC 27601
Phone 919.733.2484 Fax 919.715.3464

House Legislative Day 122 Vol. 2004, No. 18 Senate Legislative Day 124

Wednesday, June 9, 2004

BILLS INTRODUCED TODAY

BILL #	SHORT TITLE	IDEN	COMMITTEE	GS INDEX
H 1804	LEGISLATIVE BUDGET ADJUSTMENTS		RULES	CONST

SUMMARIES OF BILLS INTRODUCED TODAY

HOUSE BILLS

H 1804. LEGISLATIVE BUDGET ADJUSTMENTS. *TO AMEND THE CONSTITUTION TO ALLOW A LEGISLATIVE COMMITTEE OR COMMISSION TO MAKE BUDGET ADJUSTMENTS IN THE INTERIM.* Requires a referendum during next statewide general election on proposed amendment to Art. II, Sec. 5(3) of the NC Constitution to allow the General Assembly by law to authorize a comm'n or comm. in the legislative branch to effect necessary economies in state expenditures, but only before convening of the regular session, after sine die adjournment of any legislative session, or during any period in which both houses of the General Assembly are in recess or adjournment for a period of 10 days or more. Requires that law provide a method for selecting comm. or comm'n membership. Provides that if General Assembly has created comm. or comm'n and the Governor has determined that receipts during the fiscal period, when added to surplus remaining, will not meet budgeted expenditures, the Governor may not effect necessary economies until 30 days after that determination has been made.

Intro. by Baker.
Ref. to Rules CONST

N.C. DOCUMENTS
CLEARINGHOUSE

JUN 15 2004

STATE LIBRARY OF NORTH CAROLINA
RALEIGH

This publication is printed on permanent, acid-free paper in compliance with the North Carolina General Statutes
Institute of Government—School of Government
The University of North Carolina at Chapel Hill
© 2004

CALENDAR ACTION
June 9, 2004

NOTES
1. Amendments and committee substitutes adopted today are summarized in the following section of today's Daily Bulletin.
2. The dates on which previous amendments or committee substitutes were adopted are listed below bill numbers.
3. The action "Cal Pursuant Rule 36b" indicates that the bill has been reported by committee and is awaiting calendaring by the Rules Committee.
4. Enacted bills are indicated by #, failed bills by *.

PUBLIC BILLS

H1345 DOT TECHNICAL CORRECTION.	H	REPTD FAV
	H	CAL PURSUANT RULE 36(B)
H1354 STRENGTHEN DOMESTIC VIOLENCE LAWS.	H	WITHDRAWN FROM COMM
	H	RE-REF COM ON JUDICIARY IV
H1360 HOV LANES - EMERGENCY VEHICLES.	H	REPTD FAV
	H	CAL PURSUANT RULE 36(B)
H1382 DOT AUTHORITY TO RECEIVE FUNDS FROM LOCAL GOV.	H	REPTD FAV
	H	CAL PURSUANT RULE 36(B)
H1383 STAGGERED ISSUANCE-COMMERCIAL/DEALER PLATES.	H	REPTD FAV
	H	CAL PURSUANT RULE 36(B)
H1394 8-YEAR DRIVERS LICENSE/INTERNET DL RENEWAL.	H	REPTD FAV
	H	CAL PURSUANT RULE 36(B)
H1413 TAX CREDIT FOR LONG-TERM CARE INSURANCE.	HA	REPTD FAV COM SUBSTITUTE
	H	CAL PURSUANT RULE 36(B)
06-09-04		
H1448 NOTICE PERIOD FOR SALES AND USE TAX REFUNDS.	S	REPTD FAV
H1463 HEALTH INSURANCE INNOVATIONS COMMISSION.	HA	AMEND ADOPTED #1
	H	PASSED 2ND READING
06-09-04		
H1465 ALLOW FAMILY BUSINESS TO LEASE FARMLAND.	H	RATIFIED
	H	PRES. TO GOV. 6/9/2004
H1478 RETIREMENT/TEACHER EXCHANGE PROGRAMS.	H	PASSED 2ND & 3RD READING
H1497 ADOPT FLAT FEE FOR DEBT COLLECTION.	S	REPTD FAV
05-25-04		
H1518 REQUIRE PAYMENT OF RESTITUTION FOR EXPUNCTION.	H	PASSED 2ND & 3RD READING
H1519 CRIME VICTIM FINANCIAL RECOVERY ASSIST. ACT.	H	PASSED 2ND & 3RD READING
06-02-04		
H1540 ENABLING RESOLUTION/UNC/OUT-OF-STATE STUDENTS.	H	REPTD FAV
	H	CAL PURSUANT RULE 36(B)
	H	PLACED ON CAL FOR 6/10/2004
H1549 IN-STATE TUITION FOR MILITARY RESERVISTS.	H	WITHDRAWN FROM CAL
	H	RE-REF COM ON APPROPRIATIONS
06-03-04		
H1555 TAG AGENTS TITLE TRANSACTION FEE.	HA	REPTD FAV COM SUBSTITUTE
	H	CAL PURSUANT RULE 36(B)
06-09-04		
H1567 MILITARY PLANNING NOTICES.	HA	REPTD FAV COM SUBSTITUTE
	H	CAL PURSUANT RULE 36(B)
06-09-04		
H1624 INCREASE RETIREES' CONTRIBUTORY DEATH BENEFIT.	H	REPTD FAV
	H	RE-REF COM ON APPROPRIATIONS
S0486 CUSTOMER INQUIRIES/INSURANCE COVERAGE.	H	WITHDRAWN FROM COMM
	H	RE-REF COM ON INSURANCE
04-14-03, 06-03-04		

S0676	REVISE THE BANKING LAWS OF NORTH CAROLINA.	H CONF COM APPOINTED
	05-13-03, 07-10-03, 07-19-03	
S1063	ELIMINATE IRB WAGE STANDARD.	HA REPTD FAV COM SUBSTITUTE H CAL PURSUANT RULE 36(B)
	06-09-04	
S1064	FINANCE PARKS AND HERITAGE.	S REPTD FAV COM SUBSTITUTE
	06-08-04, 06-09-04	
S1070	FEDERAL ENFORCEMENT BY MARINE INSPECTORS.	S WITHDRAWN FROM COMM S RE-REF COM ON AGRICULTURE/ ENVIRONMENT/NATURAL RESOURCES
S1124	AMEND STRUCTURED SENTENCING/POST RELEASE SUPV.	S WITHDRAWN FROM CAL S PLACED ON CAL FOR 6/16/2004
	06-08-04	
S1145	REVENUE LAWS TECHNICAL CHANGES.	S PASSED 3RD READING
	06-07-04	
S1161	MILITARY PLANNING NOTICES.	S REPTD FAV COM SUBSTITUTE SA COM SUBSTITUTE ADOPTED
	06-09-04	
S1167	CONDO AND PLANNED COMM. CLARIFICATIONS.	S PASSED 2ND & 3RD READING
S1171	MOTOR FUELS TAX CHANGES.	S REPTD FAV COM SUBSTITUTE SA COM SUBSTITUTE ADOPTED
	06-09-04	
S1191	CONSTRUCTION OF PRISON IN COLUMBUS COUNTY.	S PASSED 2ND & 3RD READING
S1192	MV TRANSFER/DISC OF TOTAL LOSS CLAIM	S WITHDRAWN FROM COMM S RE-REF COM ON COMMERCE
S1219	DRY CLEANING SOLVENT CLEANUP ACT AMENDMENTS.	S PASSED 2ND & 3RD READING
S1223	HEALTH INSURANCE INNOVATIONS COMMISSION.	SA AMEND ADOPTED # 1 S PASSED 2ND & 3RD READING
	06-08-04, 06-09-04	
S1228	BLANK APPROPRIATIONS BILL - 1.	S REPTD FAV COM SUBSTITUTE SA COM SUBSTITUTE ADOPTED S RE-REF COM ON APPROPRIATIONS/ BASE BUDGET
	06-09-04	
S1270	LOWER HAW RIVER STATE NATURAL AREA.	S PASSED 2ND & 3RD READING
	06-08-04	
S1414	MEDICAL BOARD FEES.	S REPTD FAV
S1438	MEMORIALIZING PRESIDENT RONALD W. REAGAN.	S PASSED 2ND & 3RD READING

LOCAL BILLS

H1369	EMERALD ISLE ANNEXATION.	H PASSED 2ND READING
H1385	WASHINGTON/CRESWELL/WALLACE SATELLITE ANNEX.	H PASSED 2ND READING
	06-03-04	
H1447	CITY OF GREENVILLE-ABANDONED/JUNKED VEHICLES.	S REPTD FAV
	05-24-04	
H1474	YANCEY COUNTY CONSTRUCTION.	S REPTD FAV
	05-27-04, 06-01-04	
H1588	MONROE CLAIMS SETTLEMENT.	H PASSED 2ND & 3RD READING
	06-03-04	
H1589	MONTGOMERY COMMISSIONER ELECTIONS.	H PASSED 2ND & 3RD READING
	06-03-04	

H1593 SWANSBORO ANNEXATION.	H	PASSED 2ND READING
H1604 GREENSBORO CLAIM SETTLEMENTS.	S	REPTD FAV
H1619 ELIZABETHTOWN CHARTER AMENDMENTS.	H	PASSED 2ND & 3RD READING
06-03-04		
H1649 WAKE IMPAIRED HUNTING REGULATION.	H	WITHDRAWN FROM COMM
	H	RE-REF COM ON LOCAL GOVERNMENT I
H1666 GARNER/UNSAFE RESIDENTIAL BUILDINGS.	S	REPTD FAV
H1670 NEWTON FORCE ACCOUNT.	H	PASSED 2ND & 3RD READING
06-03-04		
H1674 ZEBULON CHARTER AMENDMENT.	H	PLACED ON CAL FOR 6/10/2004
06-03-04		
H1678 NORWOOD ANNEXATIONS.	H	PASSED 2ND READING
H1732 SOUTHPORT WARD BOUNDARIES.	H	PLACED ON CAL FOR 6/10/2004
S1122 CHAPEL HILL SCHOOL SITES.	H	PASSED 2ND & 3RD READING
06-02-04		
S1189 EXPAND CHADBOURN ETJ.	H	PASSED 2ND & 3RD READING
S1233 PINEBLUFF UNOPENED TROLLEY EASEMENTS.	S	REPTD FAV
S1279 M & M FIRE DISTRICT CONTRACTS.	S	REPTD FAV
S1288 MOORESVILLE STREETS AND SIDEWALKS.	S	REPTD FAV
S1305 VARIOUS MUNICIPALITIES SATELLITE ANNEXATIONS.	S	PASSED 3RD READING
06-07-04		
S1309 APEX CONDITIONAL ZONING/ROADS.	H	REC FROM SENATE
	H	REF TO COM ON FINANCE
06-03-04		
S1316 MOUNT PLEASANT ANNEXATION.	S	WITHDRAWN FROM CAL
	S	RE-REF COM ON FINANCE
S1343 WHITEVILLE ANNEXATION.	H	REC FROM SENATE
	H	REF TO COM ON FINANCE
S1356 GIBSONVILLE WHITSETT BOUNDARY.	S	REPTD FAV

SUMMARIES OF AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

S 1063. ELIMINATE IRB WAGE STANDARD. Intro. 5/13/04. House committee substitute makes the following changes to 1st edition. Adds provision directing Dep't of Commerce to encourage projects applying for industrial revenue bonds under GS Ch. 159C or 159D to locate in development zones.

S 1064. FINANCE PARKS, HERITAGE, AND CLEAN WATER. Intro. 5/13/04. House committee substitute makes the following changes to 2nd edition. Adds subsection(d) to GS 113-77.7 providing that monies in Natural Heritage Trust Fund are appropriated annually and may be used for purposes provided in GS 113-77.9. Makes technical changes.

S 1161. MILITARY PLANNING NOTICES. Intro. 5/19/04. Senate committee substitute makes the following changes to 1st edition. Makes changes identical to those made in House Committee Substitute for H 1567, summarized in today's Bulletin.

S 1223. HEALTH INSURANCE INNOVATIONS COMMISSION. Intro. 5/20/04. Senate amendment makes the following changes to 2nd edition. Makes technical change only.

S 1228. APPROPRIATION FOR ROBERT LEE HUMBER HOUSE (NEW). Intro. 5/24/04. Senate committee substitute makes the following changes to 1st edition. Replaces title to *TO APPROPRIATE FUNDS FOR CAPITAL IMPROVEMENTS TO THE HISTORIC ROBERT LEE HUMBER HOUSE*. Appropriates $200,000 for

2004-05 for capital improvements to stabilize historic Robert Lee Humber House in Greenville. Effective July 1, 2004.

HOUSE BILLS

H 1413. TAX CREDIT FOR LONG-TERM CARE INSURANCE. Intro. 5/12/04. House committee substitute makes the following changes to 1st edition. Amends SL 1998-212, sec. 29A.6(c), to direct the Revenue Laws Study Committee, rather than the Legislative Research Comm'n, to study the effectiveness of the long-term care insurance tax credit and report to the 2006 session of the General Assembly. Repeals credit for taxable years beginning on or after Jan. 1, 2008. Effective Jan. 1, 2005.

H 1463. HEALTH INSURANCE INNOVATIONS COMMISSION. Intro. 5/17/04. House amendment makes the following changes to 1st edition. Makes technical change only.

H 1555. TAG AGENTS TITLE TRANSACTION FEE. Intro. 5/20/04. House committee substitute makes the following changes to 1st edition. Adds subsection (h1) to GS 20-63 providing an additional $1 of compensation to commission contract agents for any transaction assessed a fee under GS 20-85(a)(1), (a)(2), (a)(3), (a)(7), (a)(8) or (a)(9). Amends GS 20-85 by adding a new subsection (a1) providing an additional $1 fee for any transaction assessed a fee under GS 20-85(a)(1), (a)(2), (a)(3), (a)(7), (a)(8), or (a)(9). Credits fees collected pursuant to GS 20-85 to Highway Fund. Provides that Division shall use fees from transactions with the Div'n for technology improvements and fees from transactions with commission contract agents to pay compensation to those agents. Deletes expiration date in prior version (was Sept. 30, 2007) and specifies that amendments apply to fees assessed on or after effective date of Oct. 1, 2004.

H 1567. MILITARY PLANNING NOTICES. Intro. 5/20/04. House committee substitute makes the following changes to 1st edition. Replaces phrase "military installation" with "military base" in the title and throughout the bill. Changes timing of notice requirements from 30 days to not less than 10 days or more than 25 days.

NEXT SESSIONS

June 10, 2004

HOUSE convenes at 10:00 a.m.

SENATE convenes at 11:00 a.m.

5:2004/19

Daily Bulletin

ACTIONS BY THE NORTH CAROLINA GENERAL ASSEMBLY

Institute *of* Government—School of Government
The University of North Carolina at Chapel Hill
Legislative Reporting Service, Box 7294 State Legislative Building, Raleigh, NC 27601
Phone 919.733.2484 Fax 919.715.3464

House Legislative Day 123 Vol. 2004, No. 19 Senate Legislative Day 125

Thursday, June 10, 2004

N.C. DOCUMENTS CLEARINGHOUSE
JUN 15 2004
STATE LIBRARY OF NORTH CAROLINA RALEIGH

BILLS INTRODUCED TODAY

NONE

CALENDAR ACTION
June 10, 2004

NOTES
1. Amendments and committee substitutes adopted today are summarized in the following section of today's Daily Bulletin.
2. The dates on which previous amendments or committee substitutes were adopted are listed below bill numbers.
3. The action "Cal Pursuant Rule 36b" indicates that the bill has been reported by committee and is awaiting calendaring by the Rules Committee.
4. Enacted bills are indicated by #, failed bills by *.

PUBLIC BILLS

H1264 MODIFY FINANCE LAWS.	HA	REPTD FAV COM SUBSTITUTE
	H	CAL PURSUANT RULE 36(B)
06-10-04		
H1394 8-YEAR DRIVERS LICENSE/INTERNET DL RENEWAL.	H	WITHDRAWN FROM CAL
	H	RE-REF COM ON RULES, CALENDAR, AND OPERATIONS OF THE HOUSE
H1443 COMMERCE SERVICENTER.	H	FISCAL NOTE ATTACHED
	H	PLACED ON CAL FOR 6/10/2004
	H	PASSED 2ND & 3RD READING
05-27-04, 06-02-04		
H1448 NOTICE PERIOD FOR SALES AND USE TAX REFUNDS.	S	WITHDRAWN FROM CAL
	S	PLACED ON CAL FOR 6/15/2004
H1463 HEALTH INSURANCE INNOVATIONS COMMISSION.	HA	AMEND ADOPTED #2
	H	PASSED 3RD READING
06-09-04, 06-10-04		
H1465 ALLOW FAMILY BUSINESS TO LEASE FARMLAND.	H	PRES. TO GOV. 6/9/2004
H1497 ADOPT FLAT FEE FOR DEBT COLLECTION.	S	PASSED 2ND READING
05-25-04		
H1540 ENABLING RESOLUTION/UNC/OUT-OF-STATE STUDENTS.	H	POSTPONED TO 6/15/2004
H1699 UNC NONAPPROPRIATED CAPITAL PROJECTS.	H	REPTD FAV
	H	CAL PURSUANT RULE 36(B)

This publication is printed on permanent, acid-free paper in compliance with the North Carolina General Statutes.
Institute of Government—School of Government
The University of North Carolina at Chapel Hill
© 2004

S1064 FINANCE PARKS, HERITAGE, AND CLEAN WATER.	S AMENDMENT WITHDRAWN # 1 SA AMEND ADOPTED # 2 S PASSED 3RD READING S ENGROSSED
06-08-04, 06-09-04, 06-10-04	
S1161 MILITARY PLANNING NOTICES.	S PASSED 2ND & 3RD READING
06-09-04	
S1171 MOTOR FUELS TAX CHANGES.	S WITHDRAWN FROM CAL S PLACED ON CAL FOR 6/15/2004
06-09-04	
S1414 MEDICAL BOARD FEES.	S PASSED 2ND & 3RD READING
S1438 MEMORIALIZING PRESIDENT RONALD W. REAGAN.	H REC FROM SENATE H REF TO COM ON RULES, CALENDAR, AND OPERATIONS OF THE HOUSE

LOCAL BILLS

H1369 EMERALD ISLE ANNEXATION.	H PASSED 3RD READING
H1385 WASHINGTON/CRESWELL/WALLACE SATELLITE ANNEX.	H PASSED 3RD READING
06-03-04	
H1386 INDIAN TRAIL TOWN ATTORNEY.	S REPTD FAV COM SUBSTITUTE SA COM SUBSTITUTE ADOPTED
05-20-04, 06-10-04	
H1447 CITY OF GREENVILLE-ABANDONED/JUNKED VEHICLES.	S WITHDRAWN FROM CAL S PLACED ON CAL FOR 6/15/2004
05-24-04	
H1474 YANCEY COUNTY CONSTRUCTION.	S WITHDRAWN FROM CAL S PLACED ON CAL FOR 6/15/2004
05-27-04, 06-01-04	
H1593 SWANSBORO ANNEXATION.	H PASSED 3RD READING
H1604 GREENSBORO CLAIM SETTLEMENTS.	S PASSED 2ND & 3RD READING
H1608 GREENSBORO ORDINANCE PUBLICATION.	S REPTD FAV COM SUBSTITUTE SA COM SUBSTITUTE ADOPTED
06-02-04, 06-10-04	
H1666 GARNER/UNSAFE RESIDENTIAL BUILDINGS.	S PASSED 2ND & 3RD READING
H1674 ZEBULON CHARTER AMENDMENT.	H PASSED 2ND & 3RD READING
06-03-04	
H1678 NORWOOD ANNEXATIONS.	H PASSED 3RD READING
H1687 CABARRUS BOARD OF EQUALIZATION AND REVIEW.	HA REPTD FAV COM SUBSTITUTE H RE-REF COM ON FINANCE
06-10-04	
H1721 CURRITUCK OCCUPANCY TAX CHANGES.	HA REPTD FAV COM SUBSTITUTE H RE-REF COM ON FINANCE
06-10-04	
H1722 CURRITUCK ABC BOARD MEMBERSHIP INCREASED.	H REPTD FAV H CAL PURSUANT RULE 36(B) H PLACED ON CAL FOR 6/14/2004
H1732 SOUTHPORT WARD BOUNDARIES.	H PASSED 2ND & 3RD READING
S1189 EXPAND CHADBOURN ETJ.	S RATIFIED
S1205 46TH SENATORIAL DISTRICT LOCAL ACT-2.	S WITHDRAWN FROM COMM S RE-REF COM ON STATE GOVERNMENT, LOCAL GOVERNMENT, AND VETERANS' AFFAIRS
S1233 PINEBLUFF UNOPENED TROLLEY EASEMENTS.	S PASSED 2ND & 3RD READING

S1277 MADISON TOWN ELECTION.	S REPTD FAV COM SUBSTITUTE SA COM SUBSTITUTE ADOPTED
06-10-04	
S1279 M & M FIRE DISTRICT CONTRACTS.	S PASSED 2ND & 3RD READING
S1288 MOORESVILLE STREETS AND SIDEWALKS.	S PASSED 2ND & 3RD READING
S1356 GIBSONVILLE WHITSETT BOUNDARY.	S PASSED 2ND READING

SUMMARIES OF AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

S 1064. FINANCE PARKS, HERITAGE AND CLEAN WATER. Intro. 5/13/04. Senate amendment changes the 3rd edition by adding new sec. 4.1 to provide that none of the proceeds of the special indebtedness authorized by the bill may be used to acquire property by eminent domain.

S 1171. MOTOR FUELS TAX CHANGES. Intro. 5/19/04. Senate committee substitute adopted 6/9/04 makes the following changes to 1st edition. Deletes GS 105-449.86(a)(4) (excise tax on dyed diesel fuel to operate vehicle owned or leased to American Red Cross). Recodifies GS 105.449.95 (was, repeals) as GS 105-449.106A effective Jan. 1, 2005, and makes technical corrections.

S 1277. MADISON TOWN ELECTION. Intro. 5/24/04. Senate committee substitute makes the following changes to 1st edition. Makes technical changes only.

HOUSE BILLS

H 1264. REGULATORY FEES (NEW). Intro. 4/29/03. House committee substitute replaces 1st edition blank bill with new bill as follows: (1) provides that the percentage rate to be used in calculating the public utility regulatory fee under GS 62-302(b)(2) is 0.12% of each public utility's North Carolina jurisdictional revenues earned during each quarter that begins on or after July 1, 2004, providing that the electric membership corporation regulatory fee under GS 62-302(b1) for 2004-2005 fiscal year is $200,000, and making both of these changes effective July 1, 2004; (2) sets the percentage rate to be used in calculating the insurance regulatory charge under GS 58-6-25 at 5% for the 2004 calendar year; and (3) clarifies that the bill does not affect the legal rights of anyone under a statute amended by the bill before the effective date of the amendment or the right of anyone to receive any refund or tax credit that accrued under the amended state before the effective date of its amendment.

H 1386. INDIAN TRAIL TOWN ATTORNEY. Intro. 5/12/04. Senate committee substitute makes the following changes to 2nd edition: (1) deletes listing of specific duties to be performed by the town attorney, (2) provides that council shall appoint as town attorney someone licensed to practice law in North Carolina; and (3) provides that it shall be the duty of the town attorney to represent the town, advise town officials, and perform other duties as required by law or as the council may prescribe.

H 1463. HEALTH INSURANCE INNOVATIONS COMMISSION. Intro. 5/17/04. House amendment makes the following changes to 1st edition: (1) increases from 12 to 13 the number of Comm'n members to be appointed by the House speakers and by the Senate Pres. Pro Tem., respectively, and (2) adds to the Comm'n two persons without health insurance or who advocate for the uninsured.

H 1608. GREENSBORO ORDINANCE PUBLICATION. Intro. 5/20/04. Senate committee substitute makes the following changes to 2nd edition. Makes technical changes only.

H 1687. CABARRUS BOARD OF EQUALIZATION AND REVIEW. Intro. 5/27/04. House committee substitute makes the following changes to 1st edition: (1) changes title of GS 105-322(g)(5) to read "Powers After Adjournment" (now, "Duty to Change Abstracts and Records"); (2) adds new GS 105-322(g)(5)e. to allow the board after adjournment to exercise its authority under GS 105-282.1(a1) to accept an application for exemption or exclusion that was filed after the statutory deadline; and (3) adds new GS 105-322(g)(5)f. to allow the board after adjournment to make changes to abstracts and tax records, in effect cross-referencing already-existing

authority under GS 105-325. Also repeals SL 2000-92, which provides authorization for Cabarrus County to meet and act after its formal adjournment.

H 1721. CURRITUCK OCCUPANCY TAX CHANGES. Intro. 5/27/04. House committee substitute makes the following changes to 1st edition. Amends Ch. 209, Sec. 1(e) of SL 1987 to provide that all (was, 75%) of the net proceeds of the tax levied under subsection (a) (occupancy tax) shall be used for tourism-related expenditures. Further amends sec. to require county to use at least two-thirds of tax levied under subsection (a1) (additional occupancy tax) to promote travel and tourism (was, all of net proceeds to be used for historic restoration and cultural programs). Enacts new subsections 1(e)(1) – (4) to define "promote travel and tourism, "tourism-related expenditures," and "beach renourishment." Provides that tourism-related expenses includes beach renourishment. Amends subsection 1(a1) to authorize board of comm'rs to levy a room occupancy tax or up to 3% (was, 1 %).

NEXT SESSIONS

June 14, 2004

HOUSE convenes at 7:00 p.m.

SENATE convenes at 7:00 p.m.

5:2004/20

Daily Bulletin

ACTIONS BY THE NORTH CAROLINA GENERAL ASSEMBLY

Institute *of* Government—School of Government
The University of North Carolina at Chapel Hill
Legislative Reporting Service, Box 7294 State Legislative Building, Raleigh, NC 27601
Phone 919.733.2484 Fax 919.715.3464

House Legislative Day 124 Vol. 2004, No. 20 Senate Legislative Day 126

Monday, June 14, 2004

N.C. DOCUMENTS CLEARINGHOUSE
JUN 15 2004
STATE LIBRARY OF NORTH CAROLINA RALEIGH

BILLS INTRODUCED TODAY

None

CALENDAR ACTION
June 14, 2004

NOTES
1. Amendments and committee substitutes adopted today are summarized in the following section of today's Daily Bulletin.
2. The dates on which previous amendments or committee substitutes were adopted are listed below bill numbers.
3. The action "Cal Pursuant Rule 36b" indicates that the bill has been reported by committee and is awaiting calendaring by the Rules Committee.
4. Enacted bills are indicated by #, failed bills by *.

PUBLIC BILLS

H0919 WORKPLACE SAFETY TAX CREDITS.	HA	REPTD COM SUB W/O PREJUD
	H	RE-REF COM ON APPROPRIATIONS
06-14-04		
H1345 DOT TECHNICAL CORRECTION.	H	PLACED ON CAL FOR 6/15/2004
H1352 EMERGENCY FUNDING FOR ONE NC & NEIT.	S	REPTD FAV
05-19-04		
H1360 HOV LANES - EMERGENCY VEHICLES.	H	WITHDRAWN FROM CAL
	H	RE-REF COM ON RULES, CALENDAR, AND OPERATIONS OF THE HOUSE
H1372 PUBLIC TRANSIT DECELERATION LAMPS.	HA	REPTD FAV COM SUBSTITUTE
	H	CAL PURSUANT RULE 36(B)
06-14-04		
H1382 DOT AUTHORITY TO RECEIVE FUNDS FROM LOCAL GOV.	H	WITHDRAWN FROM CAL
	H	RE-REF COM ON RULES, CALENDAR, AND OPERATIONS OF THE HOUSE
H1383 STAGGERED ISSUANCE-COMMERCIAL/DEALER PLATES.	H	WITHDRAWN FROM CAL
	H	RE-REF COM ON RULES, CALENDAR, AND OPERATIONS OF THE HOUSE
H1413 TAX CREDIT FOR LONG-TERM CARE INSURANCE.	H	PLACED ON CAL FOR 6/15/2004
06-09-04		

This publication is printed on permanent, acid-free paper in compliance with the North Carolina General Statutes
Institute of Government—School of Government
The University of North Carolina at Chapel Hill
© 2004

H1414 2004 APPROPRIATIONS ACT.	S	WITHDRAWN FROM COMM
	S	RE-REF COM ON FINANCE
06-07-04, 06-08-04		
H1443 COMMERCE SERVICENTER.	S	REC FROM HOUSE
	S	REF TO COM ON APPROPRIATIONS/ BASE BUDGET
05-27-04, 06-02-04		
H1450 STOLEN REGISTRATION PLATES REPLACED--NO FEE.	H	WITHDRAWN FROM COMM
	H	RE-REF COM ON FINANCE
H1463 HEALTH INSURANCE INNOVATIONS COMMISSION.	S	REC FROM HOUSE
	S	REF TO COM ON COMMERCE
06-09-04, 06-10-04		
H1478 RETIREMENT/TEACHER EXCHANGE PROGRAMS.	S	REC FROM HOUSE
	S	REF TO COM ON EDUCATION/ HIGHER EDUCATION
H1497 ADOPT FLAT FEE FOR DEBT COLLECTION.	S	PASSED 3RD READING
05-25-04		
H1518 REQUIRE PAYMENT OF RESTITUTION FOR EXPUNCTION.	S	REC FROM HOUSE
	S	REF TO COM ON JUDICIARY II
H1519 CRIME VICTIM FINANCIAL RECOVERY ASSIST. ACT.	S	REC FROM HOUSE
	S	REF TO COM ON JUDICIARY I
06-02-04		
H1530 CONDO AND PLANNED COMM. CLARIFICATIONS.	H	WITHDRAWN FROM COMM
	H	RE-REF COM ON JUDICIARY I
H1550 MILITARY AFFAIRS COMM. MEMBERSHIP.	H	WITHDRAWN FROM COMM
	H	RE-REF COM ON MILITARY, VETERANS AND INDIAN AFFAIRS
06-02-04		
H1555 TAG AGENTS TITLE TRANSACTION FEE.	H	PLACED ON CAL FOR 6/15/2004
06-09-04		
H1567 MILITARY PLANNING NOTICES.	H	PLACED ON CAL FOR 6/15/2004
06-09-04		
H1665 VENUE FOR JUVENILE HEARINGS.	H	WITHDRAWN FROM COMM
	H	RE-REF COM ON JUDICIARY IV
H1692 HISTORIC VEHICLES - EXEMPT FROM INSPECTION.	H	WITHDRAWN FROM COMM
	H	RE-REF COM ON APPROPRIATIONS
H1699 UNC NONAPPROPRIATED CAPITAL PROJECTS.	H	WITHDRAWN FROM CAL
	H	RE-REF COM ON APPROPRIATIONS
S0596 SPAY/NEUTER FUNDING.	S	WITHDRAWN FROM COMM
	S	RE-REF COM ON FINANCE
S1078 VEHICLE CONTROL SIGNS AND SIGNALS.	H	REC FROM SENATE
	H	REF TO COM ON TRANSPORTATION
06-07-04		
S1083 STAGGERED ISSUANCE-COMMERCIAL/DEALER PLATES.	H	REC FROM SENATE
	H	REF TO COM ON TRANSPORTATION
S1086 PUBLIC TRANSIT DECELERATION LAMPS.	H	REC FROM SENATE
	H	REF TO COM ON TRANSPORTATION
06-07-04		
S1089 DOT AUTHORITY TO RECEIVE FUNDS FROM LOCAL GOV.	H	REC FROM SENATE
	H	REF TO COM ON TRANSPORTATION
S1090 HOV LANES - EMERGENCY VEHICLES.	H	REC FROM SENATE
	H	REF TO COM ON TRANSPORTATION
06-07-04		
S1118 SPECIAL LICENSE PLATES.	H	REC FROM SENATE
	H	REF TO COM ON FINANCE
06-03-04		
S1145 REVENUE LAWS TECHNICAL CHANGES.	H	REC FROM SENATE
	H	REF TO COM ON FINANCE
06-07-04		

S1167	CONDO AND PLANNED COMM. CLARIFICATIONS.	H	REC FROM SENATE
		H	REF TO COM ON JUDICIARY I
S1179	HONORING LUCY MORGAN, PENLAND SCHOOL OF CRAFTS.	S	WITHDRAWN FROM COMM
		S	PLACED ON CAL FOR 6/15/2004
S1191	CONSTRUCTION OF PRISON IN COLUMBUS COUNTY.	H	REC FROM SENATE
		H	REF TO COM ON RULES, CALENDAR, AND OPERATIONS OF THE HOUSE
S1219	DRY CLEANING SOLVENT CLEANUP ACT AMENDMENTS.	H	REC FROM SENATE
		H	REF TO COM ON ENVIRONMENT AND NATURAL RESOURCES
S1223	HEALTH INSURANCE INNOVATIONS COMMISSION.	H	REC FROM SENATE
		H	REF TO COM ON INSURANCE
	06-08-04, 06-09-04		
S1254	RESPIRATORY CARE BD/BACKGROUND CHECKS/ FEES.	H	REC FROM SENATE
		H	REF TO COM ON FINANCE
	06-03-04		
S1270	LOWER HAW RIVER STATE NATURAL AREA.	H	REC FROM SENATE
		H	REF TO COM ON RULES, CALENDAR, AND OPERATIONS OF THE HOUSE
	06-08-04		

LOCAL BILLS

H1369	EMERALD ISLE ANNEXATION.	S	REC FROM HOUSE
		S	REF TO COM ON FINANCE
H1385	WASHINGTON/CRESWELL/WALLACE SATELLITE ANNEX.	S	REC FROM HOUSE
		S	REF TO COM ON FINANCE
	06-03-04		
H1386	INDIAN TRAIL TOWN ATTORNEY.	S	PASSED 2ND & 3RD READING
	05-20-04, 06-10-04		
H1588	MONROE CLAIMS SETTLEMENT.	S	REC FROM HOUSE
		S	REF TO COM ON STATE GOVERNMENT, LOCAL GOVERNMENT, AND VETERANS' AFFAIRS
	06-03-04		
H1589	MONTGOMERY COMMISSIONER ELECTIONS.	S	REC FROM HOUSE
		S	REF TO COM ON STATE GOVERNMENT, LOCAL GOVERNMENT, AND VETERANS' AFFAIRS
	06-03-04		
H1593	SWANSBORO ANNEXATION.	S	REC FROM HOUSE
		S	REF TO COM ON FINANCE
H1604	GREENSBORO CLAIM SETTLEMENTS.	H	RATIFIED
H1608	GREENSBORO ORDINANCE PUBLICATION.	S	PASSED 2ND & 3RD READING
	06-02-04, 06-10-04		
H1619	ELIZABETHTOWN CHARTER AMENDMENTS.	S	REC FROM HOUSE
		S	REF TO COM ON STATE GOVERNMENT, LOCAL GOVERNMENT, AND VETERANS' AFFAIRS
	06-03-04		
H1666	GARNER/UNSAFE RESIDENTIAL BUILDINGS.	H	RATIFIED
H1670	NEWTON FORCE ACCOUNT.	S	REC FROM HOUSE
		S	REF TO COM ON STATE GOVERNMENT, LOCAL GOVERNMENT, AND VETERANS' AFFAIRS
	06-03-04		

H1674 ZEBULON CHARTER AMENDMENT.	S	REC FROM HOUSE
	S	REF TO COM ON STATE GOVERNMENT, LOCAL GOVERNMENT, AND VETERANS' AFFAIRS
06-03-04		
H1678 NORWOOD ANNEXATIONS.	S	REC FROM HOUSE
	S	REF TO COM ON FINANCE
H1722 CURRITUCK ABC BOARD MEMBERSHIP INCREASED.	H	PASSED 2ND & 3RD READING
H1732 SOUTHPORT WARD BOUNDARIES.	S	REC FROM HOUSE
	S	REF TO COM ON STATE GOVERNMENT, LOCAL GOVERNMENT, AND VETERANS' AFFAIRS
S1033 TRANSYLVANIA LAND ACQUISITION/ CONVEYANCE.	H	REC FROM SENATE
	H	REF TO COM ON RULES, CALENDAR, AND OPERATIONS OF THE HOUSE
06-01-04		
S1122 CHAPEL HILL SCHOOL SITES.	S	REC TO CONCUR H COM SUB
	S	REF TO COM ON STATE GOVERNMENT, LOCAL GOVERNMENT, AND VETERANS' AFFAIRS
06-02-04		
S1277 MADISON TOWN ELECTION.	S	PASSED 2ND & 3RD READING
06-10-04		
S1305 VARIOUS MUNICIPALITIES SATELLITE ANNEXATIONS.	H	REC FROM SENATE
	H	REF TO COM ON LOCAL GOVERNMENT I
06-07-04		
S1356 GIBSONVILLE WHITSETT BOUNDARY.	S	PASSED 3RD READING

SUMMARIES OF AMENDMENTS AND COMMITTEE SUBSTITUTES

HOUSE BILLS

H 919. WORKPLACE SAFETY GRANTS AND TRAINING COURSES (NEW). Intro. 4/2/03. House committee substitute makes the following changes to 1st edition. (1) Original bill added a new section to GS Chapter 105 to provide tax credits to eligible employers for voluntarily making certain workplace safety expenditures. The committee substitute deletes the provision for tax credits and replaces it with new GS 95-14.1, providing for direct payments of grants to the employer for up to 100% of the cost of the safety expenditures. (2) Under the original bill, an employer, to be eligible, had to be free for three years of certain Occupational Safety and Health Act violations. The committee substitute retains that requirement and adds a requirement that the employer also be free of significant and substantial violations of the Mine Safety and Health Act. (3) The committee substitute adds an appropriation of $1,000,000 from the General Fund to the Dep't of Labor for fiscal 2004-2005 to fund the grants. (4) The committee substitute adds an appropriation of $100,000 for fiscal 2004-2005 from the General Fund to the Dep't of Labor to establish a pilot program to provide non-English language safety training to workers in the construction industry. The pilot is to include training of up to three hours length at least once a month in each of the five counties in the state with the highest per capita number of Spanish-speaking construction worker deaths in 2003. Program expires June 30, 2005 (5) Participating construction companies that have at least 75% of their Spanish-speaking employees attend the safety course are to receive a certificate, good for three years, providing that, if there is a worker injury, any civil penalty considered by the Dep't of Labor in connection with the injury is to be reduced by at least half or waived, unless the injury was due to reckless or intentional misconduct Effective July 1, 2004.

H 1372. PUBLIC TRANSIT DECELERATION LAMPS. Intro. 5/11/04. House committee substitute makes the following changes to 1st edition. Makes technical changes only.

NEXT SESSIONS

June 15, 2004

HOUSE convenes at 1:00 p.m.

***SENATE convenes at* 2:00 p.m.**

.5:2004/21

Daily Bulletin

ACTIONS BY THE NORTH CAROLINA GENERAL ASSEMBLY

Institute *of* Government—School of Government
The University of North Carolina at Chapel Hill
Legislative Reporting Service, Box 7294 State Legislative Building, Raleigh, NC 27601
Phone 919.733.2484 Fax 919.715.3464

House Legislative Day 125 Vol. 2004, No. 21 Senate Legislative Day 127

Tuesday, June 15, 2004

N.C. DOCUMENTS CLEARINGHOUSE

JUN 15 2004

STATE LIBRARY OF NORTH CAROLINA RALEIGH

BILLS INTRODUCED TODAY

NONE

CALENDAR ACTION
June 15, 2004

NOTES
1. Amendments and committee substitutes adopted today are summarized in the following section of today's Daily Bulletin.
2. The dates on which previous amendments or committee substitutes were adopted are listed below bill numbers.
3. The action "Cal Pursuant Rule 36b" indicates that the bill has been reported by committee and is awaiting calendaring by the Rules Committee.
4. Enacted bills are indicated by #, failed bills by *.

PUBLIC BILLS

H0257	UNAUTHORIZED USE OF CB EQUIPMENT.	S REPTD FAV COM SUBSTITUTE
		SA COM SUBSTITUTE ADOPTED
	04-24-03, 04-29-03, 06-15-04	
H0817	GUN SALE LEGAL W/CONCEALED HANDGUN PERMIT.	S REPTD FAV COM SUBSTITUTE
		SA COM SUBSTITUTE ADOPTED
		S RE-REF COM ON FINANCE
	06-15-04	
H1264	REGULATORY FEES.	H PLACED ON CAL FOR 6/16/2004
	06-10-04	
H1342	HONOR EUGENE MCCOMBS.	H REPTD FAV
		H CAL PURSUANT RULE 36(B)
		H PLACED ON CAL FOR 6/16/2004
H1345	DOT TECHNICAL CORRECTION.	H PASSED 2ND & 3RD READING
H1352	EMERGENCY FUNDING FOR ONE NC & NEIT.	S PASSED 2ND READING
	05-19-04	
H1366	INVOLUNTARY COMMITMENT WARRANT CLARIFICATION.	S REPTD FAV
H1373	INCREASE PENALTY-TRANSIT OPERATOR ASSAULT.	S REPTD FAV
	05-25-04	
H1413	TAX CREDIT FOR LONG-TERM CARE INSURANCE.	H PASSED 2ND READING
	06-09-04	

This publication is printed on permanent, acid-free paper in compliance with the North Carolina General Statutes
Institute of Government—School of Government
The University of North Carolina at Chapel Hill

© 2004

H1414	2004 APPROPRIATIONS ACT.	S REPTD FAV COM SUBSTITUTE SA COM SUBSTITUTE ADOPTED S RE-REF COM ON APPROPRIATIONS/ BASE BUDGET
	06-07-04, 06-08-04, 06-15-04	
H1448	NOTICE PERIOD FOR SALES AND USE TAX REFUNDS.	S PASSED 2ND & 3RD READING
H1449	APA TECHNICAL/CLARIFYING CHANGES.	HA REPTD FAV COM SUBSTITUTE H CAL PURSUANT RULE 36(B)
	06-15-04	
H1497	ADOPT FLAT FEE FOR DEBT COLLECTION.	H RATIFIED
	05-25-04	
H1540	ENABLING RESOLUTION/UNC/OUT-OF-STATE STUDENTS.	H WITHDRAWN FROM CAL H RE-REF COM ON EDUCATION
H1555	TAG AGENTS TITLE TRANSACTION FEE.	H PASSED 2ND READING
	06-09-04	
H1558	SUPPORT OF THE MILITARY IN NORTH CAROLINA.	H REPTD FAV H CAL PURSUANT RULE 36(B)
H1567	MILITARY PLANNING NOTICES.	H WITHDRAWN FROM CAL H RE-REF COM ON RULES, CALENDAR, AND OPERATIONS OF THE HOUSE
	06-09-04	
H1574	STATE PARKS SYSTEM ADDS. & STUDY.	S REPTD FAV
	06-01-04	
H1607	STATE NAT. & HIST. PRESERVE REMOVALS.	S REPTD FAV
	06-01-04	
S0051	AMEND FRANCHISE TAX LOOPHOLE.	S CONF COM REPORTED
	07-10-03, 06-15-04	
S0582	PUBLIC HEALTH PREPAREDNESS AND RESPONSE	H REPTD WITHOUT PREJUDICE H CAL PURSUANT RULE 36(B)
	04-30-03, 06-02-04	
S0859	CATAWBA RIVER BASIN BI-STATE ADVISORY COMM.	HA REPTD FAV COM SUBSTITUTE H CAL PURSUANT RULE 36(B)
	06-12-03, 06-15-04	
S1063	ELIMINATE IRB WAGE STANDARD.	H PLACED ON CAL FOR 6/16/2004
	06-09-04	
S1064	FINANCE PARKS, HERITAGE, AND CLEAN WATER.	H REC FROM SENATE H REF TO THE COM ON FINANCE AND, IF FAVORABLE, TO THE COM ON APPROPRIATIONS
	06-08-04, 06-09-04, 06-10-04	
S1098	FINANCE CANCER CENTER & CARDIO INSTITUTE.	HA REPTD FAV COM SUBSTITUTE H RE-REF COM ON APPROPRIATIONS
	06-15-04	
S1161	MILITARY PLANNING NOTICES.	H REC FROM SENATE H REF TO COM ON MILITARY, VETERANS AND INDIAN AFFAIRS
	06-09-04	
S1171	MOTOR FUELS TAX CHANGES.	S WITHDRAWN FROM CAL S PLACED ON CAL FOR 6/16/2004
	06-09-04	
S1179	HONORING LUCY MORGAN, PENLAND SCHOOL OF CRAFTS.	S PASSED 2ND & 3RD READING H REC FROM SENATE H PLACED ON CAL FOR 6/16/2004
S1202	SEPTIC SYSTEM SETBACKS FOR PRE-1977 LOTS.	S REPTD FAV
S1219	DRY CLEANING SOLVENT CLEANUP ACT AMENDMENTS.	H REPTD FAV H CAL PURSUANT RULE 36(B)

S1414	MEDICAL BOARD FEES.	H REC FROM SENATE H REF TO COM ON FINANCE
S1438	MEMORIALIZING PRESIDENT RONALD W. REAGAN. 06-15-04	HA REPTD FAV COM SUBSTITUTE H CAL PURSUANT RULE 36(B)

LOCAL BILLS

H1447	CITY OF GREENVILLE-ABANDONED/JUNKED VEHICLES. 05-24-04, 06-15-04	SA AMEND ADOPTED # 1 S PASSED 2ND & 3RD READING
H1474	YANCEY COUNTY CONSTRUCTION. 05-27-04, 06-01-04	S PASSED 2ND & 3RD READING
H1509	CABARRUS MEMORIAL HOSPITAL ADVANCED DEGREES.	H REPTD FAV H CAL PURSUANT RULE 36(B)
H1529	MOORE SCHOOL BUSES/2005 US OPEN.	H REPTD FAV H CAL PURSUANT RULE 36(B)
#H1604	GREENSBORO CLAIM SETTLEMENTS.	HR CH. SL 2004-5
#H1666	GARNER/UNSAFE RESIDENTIAL BUILDINGS.	HR CH. SL 2004-6
H1671	MOORESVILLE STREETS AND SIDEWALKS.	H REPTD FAV H CAL PURSUANT RULE 36(B)
S1060	TOWN OF FRANKLIN OCCUPANCY TAX.	S WITHDRAWN FROM CAL S PLACED ON CAL FOR 6/22/2004
S1096	CONCORD/KANNAPOLIS BOUNDARIES ADJUSTED.	H REPTD FAV H CAL PURSUANT RULE 36(B)
S1181	MODIFY ALLEGHANY OCCUPANCY TAX . 06-02-04	S WITHDRAWN FROM CAL S PLACED ON CAL FOR 6/22/2004
#S1189	EXPAND CHADBOURN ETJ.	SR CH. SL 2004-4
S1233	PINEBLUFF UNOPENED TROLLEY EASEMENTS.	H REC FROM SENATE H REF TO COM ON LOCAL GOVERNMENT I
S1279	M & M FIRE DISTRICT CONTRACTS.	H REC FROM SENATE H REF TO COM ON LOCAL GOVERNMENT I
S1288	MOORESVILLE STREETS AND SIDEWALKS.	H REC FROM SENATE H REF TO COM ON LOCAL GOVERNMENT II
S1305	VARIOUS MUNICIPALITIES SATELLITE ANNEXATIONS. 06-07-04	H WITHDRAWN FROM COMM H RE-REF COM ON FINANCE

SUMMARIES OF AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

S 51. AMEND FRANCHISE TAX LOOPHOLE. Intro. 2/17/2003. Conference report recommends the following changes to 2nd edition to reconcile matters in controversy. Substitutes new committee substitute with following changes: (1) Adds new definitions for affiliated group; capital interest, and entity and deletes definition of owned directly and qualified limited liability company. (2) Amends GS 105-114.1 to provide that if corporation or an affiliated group of corporations owns 70% or more of the capital interests in a limited liability company, the corporation must include in its three tax bases the same percentage of the limited liability company's net assets. If corporation is required to include percentage of limited liability company's assets in its tax bases, its investment in the limited liability company is not included in its computation of capital stock base under GS 105-122(b). (3) Provides that ownership of the capital interests in a limited liability company is determined by reference to the constructive ownership rules for partnerships, estates and trusts in the Internal Revenue Code with certain

41
:2004/22

N.C. DOCUMENTS
CLEARINGHOUSE

Daily Bulletin

STATE LIBRARY OF NORTH CAROLINA

ACTIONS BY THE NORTH CAROLINA GENERAL ASSEMBLY

Institute *of* Government—School of Government
The University of North Carolina at Chapel Hill
Legislative Reporting Service, Box 7294 State Legislative Building, Raleigh, NC 27601
Phone 919.733.2484 Fax 919.715.3464

House Legislative Day 126 Vol. 2004, No. 22 Senate Legislative Day 128

Wednesday, June 16, 2004

BILLS INTRODUCED TODAY

BILL #	SHORT TITLE	IDEN	COMMITTEE	GS INDEX
H 1805	MEMORIALIZING JOHN WESLEY JONES		RULES	JOINT RES

SUMMARIES OF BILLS INTRODUCED TODAY

HOUSE BILLS

H 1805. MEMORIALIZING JOHN WESLEY JONES. *HONORING THE LIFE AND MEMORY OF JOHN WESLEY JONES, FORMER EDUCATOR AND INFLUENTIAL LEADER.* As title indicates.
Intro. by Farmer-Butterfield.
Ref. to Rules JOINT RES

CALENDAR ACTION
June 16, 2004

NOTES
1. Amendments and committee substitutes adopted today are summarized in the following section of today's Daily Bulletin.
2. The dates on which previous amendments or committee substitutes were adopted are listed below bill numbers.
3. The action "Cal Pursuant Rule 36b" indicates that the bill has been reported by committee and is awaiting calendaring by the Rules Committee.
4. Enacted bills are indicated by #, failed bills by *.

PUBLIC BILLS

H0023 DOT TRANSIT SAFETY OVERSIGHT.	S	REPTD FAV COM SUBSTITUTE
	SA	COM SUBSTITUTE ADOPTED
06-16-04		
H0026 CAMERA DEFEATING LICENSE COVERS ILLEGAL.	S	REPTD FAV COM SUBSTITUTE
	SA	COM SUBSTITUTE ADOPTED
03-31-03, 04-15-03, 06-16-04		
H0257 UNAUTHORIZED USE OF CB EQUIPMENT.	S	PASSED 2ND & 3RD READING
04-24-03, 04-29-03, 06-15-04		

This publication is printed on permanent, acid-free paper in compliance with the North Carolina General Statutes.
Institute of Government—School of Government
The University of North Carolina at Chapel Hill
© 2004

H0817 GUN SALE LEGAL W/CONCEALED HANDGUN PERMIT.	S	REPTD FAV
	S	PLACED ON CAL FOR 6/21/2004
06-15-04		
H1264 REGULATORY FEES.	H	PASSED 2ND READING
06-10-04		
H1342 HONORING EUGENE MCCOMBS.	H	PASSED 2ND & 3RD READING
	S	REC FROM HOUSE
	S	PLACED ON CAL FOR 6/16/2004
	S	PASSED 2ND & 3RD READING
H1345 DOT TECHNICAL CORRECTION.	S	REC FROM HOUSE
	S	REF TO COM ON RULES AND OPERATIONS OF THE SENATE
H1352 EMERGENCY FUNDING FOR ONE NC & NEIT.	S	WITHDRAWN FROM CAL
	S	RE-REF COM ON APPROPRIATIONS/ BASE BUDGET
	S	REPTD FAV AS AMENDED
	SA	COM AMEND ADOPTED # 1 & # 2
	S	PLACED ON CAL FOR 6/16/2004
	S	PASSED 3RD READING
05-19-04, 06-16-04		
H1354 STRENGTHEN DOMESTIC VIOLENCE LAWS.	HA	REPTD FAV COM SUBSTITUTE
	H	RE-REF COM ON FINANCE
06-16-04		
H1366 INVOLUNTARY COMMITMENT WARRANT CLARIFICATION.	S	WITHDRAWN FROM CAL
	S	PLACED ON CAL FOR 6/17/2004
H1413 TAX CREDIT FOR LONG-TERM CARE INSURANCE.	H	WITHDRAWN FROM CAL
	H	RE-REF COM ON FINANCE
	H	AMEND PENDING #1
	H	WITHDRAWN FROM COMM
	H	CAL FOR IMMEDIATE CONSID
	H	AMENDMENT WITHDRAWN #1
	H	PASSED 3RD READING
06-09-04		
H1430 IRC UPDATE.	S	REPTD FAV COM SUBSTITUTE
	SA	COM SUBSTITUTE ADOPTED
05-27-04, 06-16-04		
H1448 NOTICE PERIOD FOR SALES AND USE TAX REFUNDS.	H	RATIFIED
H1459 SBE/TEACHER REQUIREMENTS.	HA	REPTD FAV COM SUBSTITUTE
	H	CAL PURSUANT RULE 36(B)
06-16-04		
H1478 RETIREMENT/TEACHER EXCHANGE PROGRAMS.	S	WITHDRAWN FROM COMM
	S	RE-REF COM ON PENSIONS & RETIREMENT AND AGING
H1497 ADOPT FLAT FEE FOR DEBT COLLECTION.	H	PRES. TO GOV. 6/16/2004
05-25-04		
H1555 TAG AGENTS TITLE TRANSACTION FEE.	H	POSTPONED TO 6/17/2004
	H	AMEND PENDING #1
06-09-04		
H1574 STATE PARKS SYSTEM ADDS. & STUDY.	S	PASSED 2ND & 3RD READING
06-01-04		
H1607 STATE NAT. & HIST. PRESERVE REMOVALS.	S	PASSED 2ND READING
	S	PASSED 3RD READING
06-01-04		
S0051 AMEND FRANCHISE TAX LOOPHOLE.	H	CONF COM REPORTED
	H	CONF HELD AS MATERIAL
	S	WITHDRAWN FROM CAL
	S	PLACED ON CAL FOR 6/21/2004
07-10-03, 06-15-04, 06-16-04		

S0464 MANAGING DEBT CAPACITY.	HA	REPTD FAV COM SUBSTITUTE
	H	RE-REF COM ON FINANCE
07-15-03, 07-16-03, 06-16-04		
S0933 WETLANDS REIMBURSEMENT/LOCAL TAX BASE.	S	REPTD FAV
	S	PLACED ON CAL FOR 6/21/2004
S1098 STATE HEALTH AND BIOTECHNOLOGY FINANCING	H	WITHDRAWN FROM CAL
	H	RE-REF COM ON RULES, CALENDAR, AND OPERATIONS OF THE HOUSE
	HA	REPTD FAV COM SUBSTITUTE
	H	CAL PURSUANT RULE 36(B)
	H	PLACED ON CAL FOR 6/16/2004
	H	PASSED 2ND READING
06-15-04, 06-16-04		
S1124 AMEND STRUCTURED SENTENCING/POST RELEASE SUPV.	S	WITHDRAWN FROM CAL
	S	RE-REF COM ON JUDICIARY II
06-08-04		
S1159 MILITARY AFFAIRS COMM. MEMBERSHIP.	H	REPTD FAV
	H	CAL PURSUANT RULE 36(B)
06-02-04		
S1161 MILITARY PLANNING NOTICES.	HA	REPTD FAV COM SUBSTITUTE
	H	CAL PURSUANT RULE 36(B)
06-09-04, 06-16-04		
S1171 MOTOR FUELS TAX CHANGES.	SA	AMEND ADOPTED # 1
	S	PASSED 2ND READING
06-09-04, 06-16-04		
S1202 SEPTIC SYSTEM SETBACKS FOR PRE-1977 LOTS.	S	PASSED 2ND & 3RD READING

LOCAL BILLS

H1349 COLUMBUS FOX HUNTING/TRAPPING.	H	REPTD FAV
	H	CAL PURSUANT RULE 36(B)
H1386 INDIAN TRAIL TOWN ATTORNEY.	H	REC TO CONCUR S COM SUB
	H	CAL PURSUANT RULE 36(B)
05-20-04, 06-10-04		
H1426 GREENVILLE PARKING DECK PROJECTS.	S	REPTD FAV
05-20-04		
H1433 WAKE CTY HISTORIC PRESERVATION COMM.	S	REPTD FAV
05-20-04		
H1454 CHOCOWINITY STAGGERED TERMS.	S	REPTD FAV
05-27-04		
H1471 BAKERSVILLE DEANNEXATION.	S	REPTD FAV
	S	PLACED ON CAL FOR 6/21/2004
H1474 YANCEY COUNTY CONSTRUCTION.	H	RATIFIED
05-27-04, 06-01-04		
H1551 ASHEVILLE CIVIL SERVICE BOARD.	S	REPTD FAV
H1553 GRIMESLAND BOUNDARY RESTATEMENT.	S	REPTD FAV
	S	PLACED ON CAL FOR 6/21/2004
H1564 CHARLOTTE REGIONAL VISITORS AUTHORITY.	S	REPTD FAV
H1569 COLUMBUS COUNTY SERVICE FEES.	S	REPTD FAV COM SUBSTITUTE
	SA	COM SUBSTITUTE ADOPTED
06-16-04		
H1588 MONROE CLAIMS SETTLEMENT.	S	REPTD FAV
06-03-04		
H1608 GREENSBORO ORDINANCE PUBLICATION.	H	REC TO CONCUR S COM SUB
	H	CAL PURSUANT RULE 36(B)
06-02-04, 06-10-04		

H1613 CHOWAN HUNTING LAWS.	HA REPTD FAV COM SUBSTITUTE
	H CAL PURSUANT RULE 36(B)
06-16-04	
H1640 DARE AFFORDABLE HOUSING FOR TEACHERS.	S REPTD FAV
05-26-04	
H1659 PERQUIMANS HUNTING STAND AMENDMENT.	H REPTD FAV
	H CAL PURSUANT RULE 36(B)
H1662 CHEROKEE/CLAY/SHOOTING FROM RIGHT-OF-WAY.	HA REPTD FAV COM SUBSTITUTE
	H CAL PURSUANT RULE 36(B)
06-16-04	
H1684 VANCE FOX SEASONS.	H REPTD FAV
	H CAL PURSUANT RULE 36(B)
H1722 CURRITUCK ABC BOARD MEMBERSHIP INCREASED.	S REC FROM HOUSE
	S REF TO COM ON STATE GOVERNMENT, LOCAL GOVERNMENT, AND VETERANS' AFFAIRS
S1125 JOHNSTON CORONER ABOLISHED.	H REPTD FAV
	H CAL PURSUANT RULE 36(B)
S1127 INCORPORATE WALLBURG.	S REPTD FAV COM SUBSTITUTE
	SA COM SUBSTITUTE ADOPTED
06-16-04	
S1133 MISENHEIMER MUNICIPAL ELECTIONS.	H REPTD FAV
	H CAL PURSUANT RULE 36(B)
S1209 DURHAM HOUSING APPEALS BOARD.	S REPTD FAV
S1277 MADISON TOWN ELECTION.	H REC FROM SENATE
	H REF TO COM ON LOCAL GOVERNMENT I
06-10-04	
S1315 CABARRUS BOARD OF EQUALIZATION AND REVIEW.	S REPTD FAV
S1347 KANNAPOLIS ABC STORE ELECTION.	S REPTD FAV
S1355 GOLDSBORO NOTICE/ORDINANCE VIOLATION.	S REPTD FAV
S1356 GIBSONVILLE WHITSETT BOUNDARY.	H REC FROM SENATE
	H REF TO COM ON FINANCE
S1370 GOLDSBORO SURPLUS LOT DISPOSITION.	S REPTD FAV COM SUBSTITUTE
	SA COM SUBSTITUTE ADOPTED
06-16-04	

SUMMARIES OF AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

S 464. MANAGING DEBT CAPACITY. Intro. 3/20/03. House committee substitute makes the following changes to 3rd edition. Deletes provision establishing the Capital Projects Priority Committee and changes title accordingly.

S 1098. STATE HEALTH AND BIOTECHNOLOGY FINANCING. Intro. 5/17/04. House committee substitute adopted 6/15/04 makes the following changes to 2nd edition. Deletes amendments to GS 147-86.30 (Health and Wellness Trust Fund) and 143-719 (Tobacco Trust Fund).

S 1098. STATE HEALTH AND BIOTECHNOLOGY FINANCING. Intro. 5/17/04. House committee substitute makes the following changes to 3rd edition. Amends act to reinsert amendments to GS 147-86.30 (Health and Wellness Trust Fund) and 143-719 (Tobacco Trust Fund). Further amends GS 86.30(c) to require that chair of Comm'n issue a warrant from the Health and Wellness Trust Fund to the General Fund for the lesser of (i) one-half (was, 100%) of the estimated amount of the debt service certified by the Treasurer; and (ii) 30% (was, 60%) of the Fund's receipts for current fiscal year. Amends GS 143-719(c) to delete prohibition against spending

moneys in the Fund until after requirements of subsection have been satisfied and adds requirement that chair of Comm'n issue a warrant from Tobacco Trust Fund to the General Fund for the lesser of (i) one-half of the estimated amount of the debt service certified by the Treasurer; and (ii) 30% of the Fund's receipts for current fiscal year.

S 1161. MILITARY PLANNING NOTICES. Intro. 5/18/04. House committee substitute makes technical changes to 2nd edition.

S 1171. MOTOR FUELS TAX CHANGES. Intro. 5/19/04. Senate amendment makes the following change to 2nd edition. Changes the number of revenue officers that may be appointed to enforce motor fuels taxes from five to eleven.

S 1370. GOLDSBORO SURPLUS LOT DISTRIBUTION. Intro. 5/27/04. Senate committee substitute makes the following changes to 1st edition. Adds reference to Wayne County in title of act and clarifies that act applies to property jointly owned by Goldsboro and Wayne County. Provides that if dividing substandard lot among adjoining property owners creates two standard lots, ownership of the entire substandard lot will be awarded to the owner of the adjoining lot with the greater degree of substandard condition, not to the highest contiguous bidder as a result of a sealed bid process (as under previous edition). Requires Goldsboro, when selling standard properties, to notify individuals and entities who previously have bid on surplus property and real estate firms. Makes other minor changes in disposal procedures.

HOUSE BILLS

H 23. UNIFORM PERSONAL WATERCRAFT LAWS (NEW). Intro. 2/17/03. Senate committee substitute makes the following changes to 1st edition. Replaces previous bill with an act to amend GS 75A-13.3(h) to prohibit units of local government, marine commissions, or local lake authorities from regulating the use of personal watercraft. Excepts authority granted under GS 160A-176.2 to cities adjacent to Atlantic Ocean.

H 26. CAMERA DEFEATING LICENSE COVERS ILLEGAL. Intro. 2/17/03. Senate committee substitute makes the following changes to 3rd edition. Changes effective date to Oct. 1, 2004 (was, Oct. 1, 2003).

H 1352. EMERGENCY FUNDING FOR ONE NC & NEIT. Intro. 5/10/04. Senate amendments make the following changes to 2nd edition. Add new sec. 6 which is substantially similar to S 1120, introduced 5/17/04, except increases appropriation to Center to $20 million (was, $15 million) and amends sec. 6(b) to authorize the Center also to contract with NC Community Colleges. Enacts new sec. 7 providing that the General Fund Availability Statement for 2003-05 does not reflect additional General Fund revenue collections of $198,300,000 for 2003-04 and $209,200,000 for 2004-05. Further finds that after accounting for this additional revenue and act's appropriations, the unappropriated General Fund balance remaining for 2003-04 is $293,583,597 and $391,976,146 for 2004-05. Amends sec. 2 (community college appropriation) providing that unexpended and unencumbered funds at end of fiscal year do not revert to the General Fund.

H 1354. STRENGTHEN DOMESTIC VIOLENCE LAWS. Intro. 5/11/04. House committee substitute makes the following changes to 1st edition. Amends GS 17C-6(a)(2) and -6(a)(14), 17E-4(a)(11) and –4(a)(2) to eliminate minimum hourly training requirements contained in training standards. Amends Sections 2.2, 2.4, 2.6, 2.11, and 2.13 to require that required training shall be available no later than March 1, 2005 (was, Jan. 1, 2005). Adds requirement that NC Criminal Justice Education and Training Standards Comm'n and NC Sheriffs' Education and Training Standards Comm'n report to the General Assembly by March 1, 2005, on the exact standards implemented and date on which they were implemented. Amends GS 50B-2(c) and (c1) and GS 50B-3(a1)(1) to require that courts and magistrates consider what is in the best interests of the child in addition to considering the safety of the minor child. Makes technical changes.

H 1447. CITY OF GREENVILLE - ABANDONED/JUNKED VEHICLES. Intro. 5/13/04. Senate amendment adopted 6/15/04 makes the following changes to 2nd edition. Adds City of Henderson to cities to which act applies.

H 1459. SBE/STUDY TEACHER PREP. COURSES (NEW). Intro. 5/17/04. House committee substitute makes the following changes to 1st edition. Deletes provision directing State Board of Education to adopt policy requiring

teachers and administrators to take renewal credits in diversity training, anger management, conflict resolution, or classroom management. Retains provision requiring Board to determine whether such courses should be part of teacher preparation programs.

H 1613. CHOWAN/ANSON HUNTING LAWS (NEW). Intro. 5/20/04. House committee substitute makes the following changes to 1st edition. Amends GS 14-401.17(d) to add Anson to list of counties to which act applies.

H 1662. CHEROKEE/CLAY/SHOOTING FROM RIGHT-OF-WAY. Intro. 5/26/04. House committee substitute makes the following changes to 1st edition. Deletes definition of "right-of-way."

NEXT SESSIONS

June 17, 2004

HOUSE convenes at 10:00 a.m.

SENATE convenes at 11:00 a.m.

: 2004/23

N.C. DOCUMENTS CLEARINGHOUSE

Daily Bulletin

STATE LIBRARY OF NORTH CAROLINA

ACTIONS BY THE NORTH CAROLINA GENERAL ASSEMBLY

Institute *of* Government—School of Government
The University of North Carolina at Chapel Hill
Legislative Reporting Service, Box 7294 State Legislative Building, Raleigh, NC 27601
Phone 919.733.2484 Fax 919.715.3464

House Legislative Day 127 Vol. 2004, No. 23 Senate Legislative Day 129

Thursday, June 17, 2004

BILLS INTRODUCED TODAY

BILL #	SHORT TITLE	IDEN	COMMITTEE	GS INDEX
S 1439	HONOR WILLIAM C. FRIDAY		PASSED 2ND & 3RD	JOINT RES

SUMMARIES OF BILLS INTRODUCED TODAY

SENATE BILLS

S 1439. HONORING WILLIAM C. FRIDAY. *PROVIDING THAT THE 2004 REGULAR SESSION OF THE 2003 GENERAL ASSEMBLY SHALL MEET IN JOINT SESSION TO HONOR BILL FRIDAY AND INVITING HIS EXCELLENCY, GOVERNOR MICHAEL F. EASLEY.* As title indicates. Session to be held Tuesday, June 22, at 3:00 pm.
Intro. by Hoyle, Kinnaird.
Passed 2nd and 3rd JOINT RES

CALENDAR ACTION
June 17, 2004

NOTES
1. Amendments and committee substitutes adopted today are summarized in the following section of today's Daily Bulletin.
2. The dates on which previous amendments or committee substitutes were adopted are listed below bill numbers.
3. The action "Cal Pursuant Rule 36b" indicates that the bill has been reported by committee and is awaiting calendaring by the Rules Committee.
4. Enacted bills are indicated by #, failed bills by *.

PUBLIC BILLS

H0023 UNIFORM PERSONAL WATERCRAFT LAWS.	S	WITHDRAWN FROM CAL
	S	RE-REF COM ON RULES AND OPERATIONS OF THE SENATE
06-16-04		
H0026 CAMERA DEFEATING LICENSE COVERS ILLEGAL.	S	PASSED 2ND & 3RD READING
03-31-03, 04-15-03, 06-16-04		
H1264 REGULATORY FEES.	H	PASSED 3RD READING

This publication is printed on permanent, acid-free paper in compliance with the North Carolina General Statutes.
Institute of Government—School of Government
The University of North Carolina at Chapel Hill
© 2004

06-10-04		
H1303 NONPROFITS EXEMPT FROM ADMISSIONS TAX.	H	CONF COM REPORTED
	H	PLACED ON CAL FOR 6/21/2004
	S	CONF COM REPORTED
	S	PLACED ON CAL FOR 6/21/2004
06-23-03, 07-18-03, 07-19-03, 06-17-04		
H1342 HONORING EUGENE MCCOMBS.	H	RATIFIED
H1352 EMERGENCY FUNDING FOR ONE NC & NEIT.	H	REC TO CONCUR IN S AMEND
	H	CAL PURSUANT RULE 36(B)
05-19-04, 06-16-04		
H1354 STRENGTHEN DOMESTIC VIOLENCE LAWS.	HA	REPTD FAV COM SUBSTITUTE
	H	RE-REF COM ON APPROPRIATIONS
06-16-04, 06-17-04		
H1366 INVOLUNTARY COMMITMENT WARRANT CLARIFICATION.	S	PASSED 2ND & 3RD READING
H1372 PUBLIC TRANSIT DECELERATION LAMPS.	H	WITHDRAWN FROM CAL
	H	RE-REF COM ON TRANSPORTATION
06-14-04		
H1373 INCREASE PENALTY-TRANSIT OPERATOR ASSAULT.	H	RATIFIED
05-25-04		
H1413 TAX CREDIT FOR LONG-TERM CARE INSURANCE.	S	REC FROM HOUSE
	S	REF TO COM ON FINANCE
06-09-04		
H1430 IRC UPDATE.	S	PASSED 2ND READING
05-27-04, 06-16-04		
H1448 NOTICE PERIOD FOR SALES AND USE TAX REFUNDS.	H	PRES. TO GOV. 6/17/2004
H1449 APA TECHNICAL/CLARIFYING CHANGES.	H	PASSED 2ND & 3RD READING
06-15-04		
H1469 DHHS DISEASE MGMT ACTIVITIES.	HA	REPTD FAV COM SUBSTITUTE
	H	CAL PURSUANT RULE 36(B)
06-17-04		
H1555 TAG AGENTS TITLE TRANSACTION FEE.	H	AMENDMENT WITHDRAWN #1
	HA	AMEND ADOPTED #2
06-09-04, 06-17-04		
H1558 SUPPORT OF THE MILITARY IN NORTH CAROLINA.	H	POSTPONED TO 6/22/2004
H1574 STATE PARKS SYSTEM ADDS. & STUDY.	H	RATIFIED
06-01-04		
H1576 LRC STUDY/TRAFFICKING OF PERSONS.	H	WITHDRAWN FROM COMM
	H	RE-REF COM ON RULES, CALENDAR, AND OPERATIONS OF THE HOUSE
H1607 STATE NAT. & HIST. PRESERVE REMOVALS.	H	RATIFIED
06-01-04		
S0051 AMEND FRANCHISE TAX LOOPHOLE.	H	PASSED 2ND READING
07-10-03, 06-15-04, 06-16-04		
S0754 STOCK CAR RACING THEME SPECIAL PLATES.	S	REPTD FAV COM SUBSTITUTE
	SA	COM SUBSTITUTE ADOPTED
06-17-04		
S1063 ELIMINATE IRB WAGE STANDARD.	H	PASSED 2ND READING
06-09-04		
S1098 STATE HEALTH AND BIOTECHNOLOGY FINANCING	H	PASSED 3RD READING
	S	REC TO CONCUR H COM SUB
	S	REF TO COM ON APPROPRIATIONS/ BASE BUDGET
06-15-04, 06-16-04		
S1171 MOTOR FUELS TAX CHANGES.	S	PASSED 3RD READING

		S ENGROSSED
	06-09-04, 06-16-04	
S1179	HONORING LUCY MORGAN, PENLAND SCHOOL OF CRAFTS.	H PASSED 2ND & 3RD READING
S1244	AMEND NC CEMETERY ACT/INCREASE FEES.	S REPTD FAV COM SUBSTITUTE SA COM SUBSTITUTE ADOPTED
	06-17-04	
S1384	AMEND BARBERING LAWS/INCREASE FEES.	S REPTD FAV COM SUBSTITUTE SA COM SUBSTITUTE ADOPTED
	06-17-04	
S1388	2004 ESC OMNIBUS ACT.	S REPTD FAV COM SUBSTITUTE SA COM SUBSTITUTE ADOPTED S RE-REF COM ON APPROPRIATIONS/ BASE BUDGET
	06-17-04	
S1438	MEMORIALIZING PRESIDENT RONALD W. REAGAN.	H POSTPONED TO 6/22/2004
	06-15-04	

LOCAL BILLS

H1363	LAKE TOXAWAY MOTOR VEHICLE REGULATION.	S REPTD FAV COM SUBSTITUTE SA COM SUBSTITUTE ADOPTED
	06-17-04	
H1386	INDIAN TRAIL TOWN ATTORNEY.	H CONCURRED IN S/COM SUB
	05-20-04, 06-10-04	
H1426	GREENVILLE PARKING DECK PROJECTS.	S PASSED 2ND & 3RD READING
	05-20-04	
H1433	WAKE CTY HISTORIC PRESERVATION COMM.	S PASSED 2ND & 3RD READING
	05-20-04	
H1447	GREENVILLE/HENDERSON-ABANDONED JUNK VEHICLES.	H REC TO CONCUR IN S AMEND H CAL PURSUANT RULE 36(B)
	05-24-04, 06-15-04	
H1454	CHOCOWINITY STAGGERED TERMS.	S PASSED 2ND & 3RD READING
	05-27-04	
#H1474	YANCEY COUNTY CONSTRUCTION.	HR CH. SL 2004-7
	05-27-04, 06-01-04	
H1509	CABARRUS MEMORIAL HOSPITAL ADVANCED DEGREES.	H PASSED 2ND & 3RD READING
H1529	MOORE SCHOOL BUSES/2005 US OPEN.	H PASSED 2ND & 3RD READING
H1543	ASHEVILLE ABC BOARD MEMBERSHIP INCREASED.	S REPTD FAV COM SUBSTITUTE SA COM SUBSTITUTE ADOPTED
	05-27-04, 06-17-04	
H1551	ASHEVILLE CIVIL SERVICE BOARD.	S PASSED 2ND & 3RD READING
H1564	CHARLOTTE REGIONAL VISITORS AUTHORITY.	S PASSED 2ND & 3RD READING
H1569	COLUMBUS COUNTY SERVICE FEES.	S PASSED 2ND & 3RD READING
	06-16-04	
H1588	MONROE CLAIMS SETTLEMENT.	S PASSED 2ND & 3RD READING
	06-03-04	
H1640	DARE AFFORDABLE HOUSING FOR TEACHERS.	S PASSED 2ND READING
	05-26-04	
H1671	MOORESVILLE STREETS AND SIDEWALKS.	H POSTPONED TO 6/22/2004
H1724	HARNETT COUNTY SUBDIVISIONS.	HA REPTD FAV COM SUBSTITUTE H CAL PURSUANT RULE 36(B)
	06-17-04	
S1127	INCORPORATE WALLBURG.	S PASSED 2ND READING
	06-16-04	
S1136	DURHAM PROTEST PETITION.	S REPTD FAV COM SUBSTITUTE

		SA COM SUBSTITUTE ADOPTED
06-17-04		
S1209	DURHAM HOUSING APPEALS BOARD.	S PASSED 2ND & 3RD READING
S1315	CABARRUS BOARD OF EQUALIZATION AND REVIEW.	S PASSED 2ND & 3RD READING
S1347	KANNAPOLIS ABC STORE ELECTION.	S PASSED 2ND & 3RD READING
S1355	GOLDSBORO NOTICE/ORDINANCE VIOLATION.	S PASSED 2ND & 3RD READING
S1370	GOLDSBORO SURPLUS LOT DISPOSITION.	S PASSED 2ND & 3RD READING
06-16-04		

SUMMARIES OF AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

S 754. STOCK CAR RACING THEME SPECIAL PLATES. Intro. 4/3/03. Senate committee substitute makes the following changes to 1st edition. Amends GS 20-81.12 to provide that money received from issuance of plates shall be transferred to the NC Motor Sports Foundation, Inc., changes effective date from Jan. 1, 2004, to Oct. 1, 2004, and makes technical changes.

S 1127. INCORPORATE WALLBURG. Intro. 05/18/04. Senate committee substitute adopted 6/16/04 makes the following changes to 1st edition. Eliminates requirement for election to allow voters to determine whether town will be incorporated.

S 1136. DURHAM PROTEST PETITION. Intro. 5/18/04. Senate amendment makes the following changes to 1st edition. Makes technical changes only.

S 1244. AMEND NC CEMETERY ACT/INCREASE FEES. Intro. 5/24/04. Senate committee substitute makes the following changes to 1st edition. Amends GS 65-66(1) to authorize Comm'n to collect fee of $25 per month for each month of report's delinquency (was, $25 per day for each day of delinquency). Makes technical changes.

S 1384. AMEND BARBERING LAWS/INCREASE FEES. Intro. 5/27/04. Senate committee substitute makes the following changes to 1st edition. Adds subsection (d) to GS 86A-4 permitting a licensed barber to serve as the "public at large" member of the State Board of Barber Examiners if the Governor determines that no member of the public is willing to serve for the three-year term. Amends provisions of GS 86A-26 permitting unregulated barbering among members of same family to define a family member as a spouse, brother, sister, parent, grandparent, child, grandchild, mother-in-law, father-in-law, daughter-in-law, son-in-law, stepparent, or stepchild.

S 1388. 2004 ESC OMNIBUS ACT. Intro. 5/28/04. Senate committee substitute makes the following changes to 1st edition. Changes title to *MAKING OMNIBUS CHANGES TO THE EMPLOYMENT SECURITY LAWS OF NORTH CAROLINA AND TO APPROPRIATE FUNDS FOR THE OPERATION AND SUPPORT OF LOCAL ESC OFFICES*. Deletes provision reenacting SL 2003-405 and provision imposing 2 percent tax on contributions to the State Unemployment Insurance Fund. Appropriates $6,300,000 from the Special Employment Security Administration Fund to ESC for 2004-05 for (1) operation and support of local offices ($6 million), (2) development and operation of system to track former participants in state education and training programs ($200,000), and (3) use of the Common Follow-Up Management Information System to evaluate effectiveness of programs ($100,000). Appropriates from the Worker Training Trust Fund to the Community Colleges System Office $359,053 for 2004-05 for a training program in entrepreneurial skills operated by North Carolina REAL Enterprises.

HOUSE BILLS

H 1303. NONPROFITS EXEMPT FROM ADMISSIONS TAX. Intro. 5/15/03. Conference report provides that Senate recedes from Senate Amendment 1 and House concurs in Senate Amendment 2, adopted 7/19/03. Conference report recommends the following changes to Amendment 2 to reconcile matters in controversy. Changes effective date of amendments to GS 105-40 to Oct. 1, 2004 (was, Oct. 1, 2003). Makes new discount

provisions effective for reporting periods beginning on or after Aug. 1, 2004 (was, Aug. 1, 2003). Also amends new GS 105-40(6a) to define a youth athletic contest as a contest in which each athlete is not more than (was, less than) 19 years of age.

H 1354. STRENGTHEN DOMESTIC VIOLENCE LAWS. Intro. 5/11/04. House committee substitute makes the following changes to 2nd edition. Amends GS 50B-5.5 to prohibit employer from penalizing employee from taking "reasonable" time off (was, time off) and to require that employee state the reason for taking time off in writing when request is made. Makes technical changes.

H 1363. LAKE TOXAWAY MOTOR VEHICLE REGULATION. Intro. 5/11/04. Senate committee substitute makes the following changes to 1st edition. Makes technical changes only.

H 1430. IRC UPDATE AND OTHER TAX CHANGES (NEW). Intro. 5/13/04. Senate committee substitute adopted 6/16/04 makes the following changes to 2nd edition. Part 2 establishes the rate to be used in calculating the public regulatory fee under GS 62-302(b)(2) at 0.12% and the electric membership corporation regulatory fee imposed under GS 62-302(b1) for 2004-05 at $200,000, effective July 1, 2004. Part 3 establishes the rate to be used in calculating the insurance regulatory charge under GS 58-6-25 at 5% for 2004. Amends GS 105-129.45 to extend the sunset on the low-income housing credit to Jan. 1, 2010 (was, Jan. 1, 2006). Amends GS 105-164.14(j)(1), effective July 1, 2004, to provide that sales and use taxes paid on building materials, building supplies, fixtures and equipment are refundable if installed in the construction of the facility, but that taxes paid on purchases for subsequent repair, renovation, or equipment replacement are not refundable. Repeals 105-164.4(a)(1g) (privilege tax on electricity sold to manufacturers) and reenacts GS 105-164.4(a)(1f)b. (privilege tax of 2.83% on electricity sales). Enacts new GS 105-164.4(a)(1h) establishing tax rate of 0.17% on electricity sales for operation of aluminum smelting facility. Enacts new GS 7A-314.1(a) and (b) authorizing Administrative Office of the Courts to charge uniform fee of $30 per hour to persons receiving the services of a supervised visitation and exchange center through a family court program and to establish a procedure for reduction of fee in particular cases. Makes technical changes.

H 1469. DHHS DISEASE MGMT ACTIVITIES. Intro. 5/17/04. House committee substitute makes the following changes to 1st edition. Deletes sec. 1(3) requiring that the Sec'y of Health and Human Services consider development of a program of supplemental rebates for state Medicaid program.

H 1543. ASHEVILLE ABC BOARD MEMBERSHIP INCREASED. Intro. 5/20/04. Senate committee substitute makes the following changes to 2nd edition. Makes technical changes only.

H 1555. TAG AGENTS TITLE TRANSACTION FEE. Intro. 5/20/04. House amendment makes the following changes to 2nd edition. Adds sec. 3, requiring that the Jt. Legis. Transportation Oversight Comm. study customer service at the Div'n of Motor Vehicle license offices, registration offices, and the services provided by comm'n contract agents, including whether policies and procedures and staffing levels are conducive to providing customer-friendly services. Comm. to report to the General Assembly on the first day of the 2005 Regular Session.

H 1569. COLUMBUS COUNTY SERVICE FEES. Intro. 5/20/04. Senate committee substitute adopted 6/16/04 makes the following changes to 1st edition. Changes title to *REPEALING THE AUTHORITY OF COLUMBUS COUNTY TO ATTACH PERSONAL PROPERTY, GARNISH WAGES, AND PLACE LIENS ON CERTAIN REAL PROPERTY TO COLLECT UNPAID FEES FOR WATER AND SEWER SERVICES.* Amends act to retain authority of municipalities in Columbus County to use listed enforcement measures.

H 1724. HARNETT AND PITT SUBDIVISIONS (NEW). Intro. 5/27/04. House committee substitute makes the following changes to 1st edition. Changes title to *Relating to the Definition of Subdivision in Harnett and Pitt Counties* Amends GS 153A-335 as applied to Pitt County to exempt from the definition of "subdivision" (1) property divided among heirs pursuant to the settlement of an estate and (2) land transferred to a grantee from an immediate family member solely for the residential use of the grantee. Portion of act applicable to Harnett County effective Jan. 1, 2005; remainder effective when enacted.

NEXT SESSIONS

June 21, 2004

HOUSE convenes at 7:00 p.m.

SENATE convenes at 7:00 p.m.

2004/24

N.C. DOCUMENTS
CLEARINGHOUSE
JUL 9 2004
STATE LIBRARY OF NORTH CAROLINA
RALEIGH

Daily Bulletin

ACTIONS BY THE NORTH CAROLINA GENERAL ASSEMBLY

Institute *of* Government—School of Government
The University of North Carolina at Chapel Hill
Legislative Reporting Service, Box 7294 State Legislative Building, Raleigh, NC 27601
Phone 919.733.2484 Fax 919.715.3464

House Legislative Day 128 Vol. 2004, No. 24 Senate Legislative Day 130

Monday, June21, 2004

BILLS INTRODUCED TODAY

BILL #	SHORT TITLE	IDEN	COMMITTEE	GS INDEX
S 1440	HONORING WILLIAM C. FRIDAY		CAL.FOR 6/22/04	JOINT RES

SUMMARIES OF BILLS INTRODUCED TODAY

SENATE BILLS

S 1440. HONORING WILLIAM C. FRIDAY. *HONORING WILLIAM "BILL" FRIDAY, PRESIDENT EMERITUS OF THE UNIVERSITY OF NORTH CAROLINA AND THE MEMORY OF WILLIAM R. DAVIE, CHIEF FOUNDER OF THE UNIVERSITY OF NORTH CAROLINA.* As title indicates.
Intro. by Hoyle, Kinnaird.
Cal. For 6/22/04 JOINT RES

CALENDAR ACTION
June 21, 2004

NOTES
1. Amendments and committee substitutes adopted today are summarized in the following section of today's Daily Bulletin.
2. The dates on which previous amendments or committee substitutes were adopted are listed below bill numbers.
3. The action "Cal Pursuant Rule 36b" indicates that the bill has been reported by committee and is awaiting calendaring by the Rules Committee.
4. Enacted bills are indicated by #, failed bills by *.

PUBLIC BILLS

H0257 Unauthorized Use of CB Equipment.
04-24-03, 04-29-03, 06-15-04
H Rec To Concur S Com Sub
H Cal Pursuant Rule 36(b)

H0817 Gun Sale Legal w/Concealed Handgun Permit.
06-15-04
S Passed 2nd Reading

H1136 Job-Sharing Permitted for Media Coordinators.
04-24-03, 06-21-04
S Reptd Fav Com Substitute
SA Com Substitute Adopted

This publication is printed on permanent, acid-free paper in compliance with the North Carolina General Statutes
Institute of Government—School of Government
The University of North Carolina at Chapel Hill
© 2004

H1264 Regulatory Fees.	S	Rec From House
	S	Ref To Com On Finance
06-10-04		
H1303 Nonprofits Exempt From Admissions Tax.	H	Removed From Cal
	H	Conf Rpt Rtn To Conf Com
	S	Withdrawn From Cal
	S	Placed On Cal For 6/22/2004
06-23-03, 07-18-03, 07-19-03, 06-17-04		
H1352 Emergency Funding for One NC & NEIT.	H	Withdrawn From Cal
	H	Re-ref Com On Rules, Calendar, and Operations of the House
05-19-04, 06-16-04		
H1354 Strengthen Domestic Violence Laws.	HA	Amend Adopted #1
	H	Passed 2nd Reading
06-16-04, 06-17-04, 06-21-04		
H1366 Involuntary Commitment Warrant Clarification.	H	Ratified
H1373 Increase Penalty-Transit Operator Assault.	H	Pres. To Gov. 6/18/2004
05-25-04		
H1424 Public Construction Surety Bonds.	H	Reptd Fav
	H	Cal Pursuant Rule 36(b)
H1430 IRC Update and Other Tax Changes.	S	Passed 3rd Reading
05-27-04, 06-16-04		
H1449 APA Technical/Clarifying Changes.	S	Rec From House
	S	Ref To Com On Judiciary I
06-15-04		
H1455 SBE Study ALP Funding.	S	Reptd Fav
H1456 SBE Study Use of At-Risk Funds.	S	Reptd Fav
05-26-04		
#H1465 Allow Family Business to Lease Farmland.	H	Signed By Gov. 6/17/2004
	HR	Ch. SL 2004-8
H1555 Tag Agents Title Transaction Fee.	H	Passed 3rd Reading
06-09-04, 06-17-04		
H1574 State Parks System Adds. & Study.	H	Pres. To Gov. 6/18/2004
06-01-04		
H1607 State Nat. & Hist. Preserve Removals.	H	Pres. To Gov. 6/18/2004
06-01-04		
S0051 Amend Franchise Tax Loophole.	H	Passed 3rd Reading
	S	Conf Report Adopted 2nd
07-10-03, 06-15-04, 06-16-04		
S0230 Repeal UCC Article on Bulk Sales.	S	Reptd Unfav For Conc
03-25-03, 06-11-03		
S0486 Customer Inquiries/Insurance Coverage.	HA	Reptd Fav Com Substitute
	H	Cal Pursuant Rule 36(b)
04-14-03, 06-03-04, 06-21-04		
S0582 Public Health Preparedness and Response	H	Placed On Cal For 6/22/2004
04-30-03, 06-02-04		
S0754 Stock Car Racing Theme Special Plates.	S	Passed 2nd & 3rd Reading
06-17-04		
S0859 River Basins Advisory Commissions	H	Placed On Cal For 6/22/2004
06-12-03, 06-15-04		
S0933 Wetlands Reimbursement/Local Tax Base.	S	Passed 2nd and 3rd Reading
S0991 Consumer's Right to Know and Act.	H	Withdrawn From Comm
	H	Re-ref Com On Appropriations
05-01-03		
S1063 Eliminate IRB Wage Standard.	HA	Amend Adopted #1
	H	Amend Temporarily Displaced

		#2
06-09-04, 06-21-04		
#S1179	Honoring Lucy Morgan, Penland School of Crafts.	S Ratified SR Ch. Res 2004-4
S1202	Septic System Setbacks for Pre-1977 Lots.	H Rec From Senate H Ref To Com On Health
S1219	Dry Cleaning Solvent Cleanup Act Amendments.	H Placed On Cal For 6/22/2004
S1244	Amend NC Cemetery Act/Increase Fees.	S Passed 2nd & 3rd Reading
06-17-04		
S1384	Amend Barbering Laws/Increase Fees.	S Passed 2nd & 3rd Reading
06-17-04		
#S1439	Joint Session/Honor Bill Friday.	H Passed 2nd & 3rd Reading S Ratified SR Ch. Res 2004-5

LOCAL BILLS

H0224	Kannapolis Annexation.	S Reptd Fav Com Substitute SA Com Substitute Adopted
07-17-03, 07-19-03, 06-21-04		
H1349	Columbus Fox Hunting/Trapping.	H Placed On Cal For 6/22/2004
H1363	Lake Toxaway Motor Vehicle Regulation	H Passed 2nd & 3rd Reading
H1386	Indian Trail Town Attorney.	H Ratified
05-20-04, 06-10-04		
H1426	Greenville Parking Deck Projects.	H Ratified
05-20-04		
H1433	Wake Cty Historic Preservation Comm.	H Ratified
05-20-04		
H1454	Chocowinity Staggered Terms.	H Ratified
05-27-04		
H1471	Bakersville Deannexation.	S Passed 2nd Reading
H1509	Cabarrus Memorial Hospital Advanced Degrees.	S Rec From House S Ref To Com On Education/ Higher Education
H1529	Moore School Buses/2005 US Open.	S Rec From House S Ref To Com On Education/ Higher Education
H1543	Asheville ABC Board Membership Increased.	S Passed 2nd & 3rd Reading
05-27-04, 06-17-04		
H1551	Asheville Civil Service Board.	H Ratified
H1553	Grimesland Boundary Restatement.	S Passed 2nd Reading
H1564	Charlotte Regional Visitors Authority.	H Ratified
H1578	Pender Rescue Service Fee.	H Postponed To 6/22/2004
06-17-04		
H1588	Monroe Claims Settlement.	H Ratified
06-03-04		
H1608	Greensboro Ordinance Publication.	H Placed On Cal For 6/22/2004
06-02-04, 06-10-04		
H1613	Chowan/Anson Hunting Laws.	H Placed On Cal For 6/22/2004
06-16-04		
H1640	Dare Affordable Housing for Teachers.	S Passed 3rd Reading
05-26-04		
H1659	Perquimans Hunting Stand Amendment.	H Placed On Cal For 6/22/2004
H1662	Cherokee/Clay/Shooting from Right-of-Way.	H Placed On Cal For 6/22/2004
06-16-04		

H1684 Vance Fox Seasons.	H	Placed On Cal For 6/22/2004
H1724 Harnett and Pitt Subdivisions.	H	Placed On Cal For 6/22/2004
06-17-04		
S1096 Concord/Kannapolis Boundaries Adjusted.	H	Placed On Cal For 6/22/2004
S1127 Incorporate Wallburg.	S	Passed 3rd Reading
	H	Rec From Senate
	H	Ref To Com On Finance
06-16-04		
S1136 Durham Protest Petition.	S	Passed 2nd & 3rd Reading
06-17-04		

SUMMARIES OF AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

S 486. CUSTOMER INQUIRIES/INSURANCE COVERAGE. Intro. 3/20/03. House committee substitute makes the following changes to 3rd edition. Deletes provision specifying that an inquiry by a policyholder is not a claim for purposes of the act unless a claim is filed or reported. Also deletes provision specifying that an insurer is allowed to act in response to a substantial increase in risk. Adds section to prohibit terminations or coverage refusal based upon a claim that was closed without payment, provided the notice of loss that was the subject of the claim was only an inquiry regarding policy provisions, and no claim for payment was requested.

S 1063. ELIMINATE IRB WAGE STANDARD. Intro. 5/13/04. House amendment makes the following changes to 2nd edition. Amends GS 159C-7(b) and GS 159D-7(b) to provide that no proposed industrial project shall be approved unless the Secretary finds that the operator of the proposed project provides or has agreed to provide project health-insurance for all full-time positions.

HOUSE BILLS

H 224. CABARRUS ANNEXATIONS (NEW). Intro. 3/5/03. Senate committee substitute makes the following changes to 3rd edition. Changes title to *TO ANNEX CERTAIN DESCRIBED TERRITORY TO THE CITY OF KANNAPOLIS. TO ANNEX CERTAIN DESCRIBED TERRITORY TO THE TOWN OF MOUNT PLEASANT, AND TO ANNEX CERTAIN DESCRIBED TERRITORY TO THE TOWN OF MIDLAND.* As title indicates. Further adopts sec. 6, providing that notwithstanding the provisions of GS Ch. 160A, Art. 19, Cabarrus County or any municipality within the county may enforce any provision of the school adequacy review performed under the Cabarrus County Subdivision Regulations, including approval of a method to address any inadequacy that may be identified as part of that review. Makes technical corrections.

H 1136. BILL FRIDAY LEADERSHIP DEVELOPMENT INSTITUTE (NEW). Intro. 4/10/03. Senate committee substitute makes the following changes to 2nd edition. Replaces exising bill with completely new bill requiring that the UNC Board of Governors establish the William Friday Institute for Higher Education Leadership, Institute to provide professional leadership development programs in academic administration for students, faculty, and administrators at UNC campuses.

H 1354. STRENGTHEN DOMESTIC VIOLENCE LAWS. Intro. 5/11/04. House amendment makes the following changes to 3rd edition. Amends section dealing with nurse's privilege to clarify that nothing in the section precludes the admission of otherwise admissible records in any judicial proceeding after a determination by the court that disclosure should be compelled pursuant to G.S. 8-44.1.

H 1578. PENDER RESCUE SERVICE FEE. Intro. 5/20/04. House committee substitute adopted 6/17/04 makes the following changes to 1st edition. Provides that act expires July 1, 2007, but that a lien outstanding before that date may be collected after expiration date.

LEGISLATION ENACTED

SL 2004-7 (H 1474). YANCEY COUNTY CONSTRUCTION. *AN ACT TO EXEMPT YANCEY COUNTY FROM THE PROVISIONS OF CHAPTER 143, ARTICLE 8 OF THE GENERAL STATUTES, FOR PURPOSES OF DEVELOPMENT OF A HEALTH CARE FACILITY IN A PUBLIC-PRIVATE INITIATIVE.* Summarized in *Daily Bulletin* 5/17/04, 5/27/04, and 6/1/04. Enacted June 17, 2004. Effective June 17, 2004.

NEXT SESSIONS

June 22, 2004

HOUSE convenes at 2:00 p.m.

SENATE convenes at 2:45 p.m.

2 : 2004/25

Daily Bulletin

ACTIONS BY THE NORTH CAROLINA GENERAL ASSEMBLY

Institute *of* Government—School of Government
The University of North Carolina at Chapel Hill
Legislative Reporting Service, Box 7294 State Legislative Building, Raleigh, NC 27601
Phone 919.733.2484 Fax 919.715.3464

House Legislative Day 129 Vol. 2004, No. 25 Senate Legislative Day 131

Tuesday, June 22, 2004

N.C. DOCUMENTS CLEARINGHOUSE
JUL 0 9 2004
STATE LIBRARY OF NORTH CAROLINA RALEIGH

BILLS INTRODUCED TODAY

NONE

CALENDAR ACTION
June 22, 2004

NOTES
1. Amendments and committee substitutes adopted today are summarized in the following section of today's Daily Bulletin.
2. The dates on which previous amendments or committee substitutes were adopted are listed below bill numbers
3. The action "Cal Pursuant Rule 36b" indicates that the bill has been reported by committee and is awaiting calendaring by the Rules Committee
4. Enacted bills are indicated by #, failed bills by *

PUBLIC BILLS

H0026 CAMERA DEFEATING LICENSE COVERS ILLEGAL.	H	REC TO CONCUR S COM SUB
	H	CAL PURSUANT RULE 36(B)
03-31-03, 04-15-03, 06-16-04		
H0429 JUST COMP./LOCAL GOV. TAKING.	S	REPTD FAV COM SUBSTITUTE
	SA	COM SUBSTITUTE ADOPTED
04-08-03, 04-09-03, 06-22-04		
H0817 GUN SALE LEGAL W/CONCEALED HANDGUN PERMIT.	S	WITHDRAWN FROM CAL
	S	PLACED ON CAL FOR 6/23/2004
06-15-04		
H1136 BILL FRIDAY LEADERSHIP DEVELOPMENT INSTITUTE.	S	PASSED 2ND & 3RD READING
04-24-03, 06-21-04		
H1303 NONPROFITS EXEMPT FROM ADMISSIONS TAX.	S	WITHDRAWN FROM CAL
	S	PLACED ON CAL FOR 6/23/2004
06-23-03, 07-18-03, 07-19-03, 06-17-04		
H1354 STRENGTHEN DOMESTIC VIOLENCE LAWS.	H	PASSED 3RD READING
06-16-04, 06-17-04, 06-21-04		
H1366 INVOLUNTARY COMMITMENT WARRANT CLARIFICATION.	H	PRES. TO GOV. 6/22/2004
H1414 CREATE NEW JOBS/RECRUIT NEW BUSINESS.	S	REPTD FAV COM SUBSTITUTE
	SA	COM SUBSTITUTE ADOPTED
06-07-04, 06-08-04, 06-15-04, 06-22-04		

This publication is printed on permanent acid-free paper in compliance with the North Carolina General Statutes
Institute of Government—School of Government
The University of North Carolina at Chapel Hill

© 2004

H1415 ALTERNATIVE R&D TAX CREDIT.	HA	REPTD FAV COM SUBSTITUTE
	H	CAL PURSUANT RULE 36(B)
06-22-04		
H1416 EXTEND AND EXPAND JDIG.	HA	REPTD FAV COM SUBSTITUTE
	H	CAL PURSUANT RULE 36(B)
	H	REMOVED FROM CAL
	H	RE-REF COM ON APPROPRIATIONS
06-22-04		
H1453 DISCHARGING FIREARM ON SCHOOL PROPERTY.	H	REPTD FAV
	H	CAL PURSUANT RULE 36(B)
H1455 SBE STUDY ALP FUNDING.	S	WITHDRAWN FROM CAL
	S	PLACED ON CAL FOR 6/23/2004
H1456 SBE STUDY USE OF AT-RISK FUNDS.	S	WITHDRAWN FROM CAL
	S	PLACED ON CAL FOR 6/23/2004
05-26-04		
H1459 SBE/STUDY TEACHER PREP COURSES.	H	PLACED ON CAL FOR 6/23/2004
06-16-04		
H1555 TAG AGENTS TITLE TRANSACTION FEE.	S	REC FROM HOUSE
	S	REF TO COM ON FINANCE
06-09-04, 06-17-04		
H1594 ALARM SYSTEMS LICENSURE FEES.	H	PLACED ON CAL FOR 6/23/2004
H1609 CORRECT STREAMLINED SALES TAX INEQUITY.	HA	REPTD FAV COM SUBSTITUTE
	H	CAL PURSUANT RULE 36(B)
06-22-04		
S0051 AMEND FRANCHISE TAX LOOPHOLE.	S	WITHDRAWN FROM CAL
	S	PLACED ON CAL FOR 6/23/2004
07-10-03, 06-15-04, 06-16-04		
S0230 REPEAL UCC ARTICLE ON BULK SALES.	S	WITHDRAWN FROM CAL
	S	PLACED ON CAL FOR 6/23/2004
03-25-03, 06-11-03		
S0859 RIVER BASINS ADVISORY COMMISSIONS	H	WITHDRAWN FROM CAL
	H	PLACED ON CAL FOR 6/24/2004
06-12-03, 06-15-04		
S1159 MILITARY AFFAIRS COMM. MEMBERSHIP.	H	PLACED ON CAL FOR 6/23/2004
06-02-04		
S1161 MILITARY PLANNING NOTICES.	H	PLACED ON CAL FOR 6/23/2004
06-09-04, 06-16-04		
S1167 CONDO AND PLANNED COMM. CLARIFICATIONS.	HA	REPTD FAV COM SUBSTITUTE
	H	CAL PURSUANT RULE 36(B)
06-22-04		
S1171 MOTOR FUELS TAX CHANGES.	H	REC FROM SENATE
	H	REF TO COM ON FINANCE
06-09-04, 06-16-04		
S1438 MEMORIALIZING PRESIDENT RONALD W. REAGAN.	H	PASSED 2ND & 3RD READING
06-15-04		
S1440 HONOR WILLIAM "BILL" FRIDAY.	S	PASSED 2ND & 3RD READING

LOCAL BILLS

H0224 CABARRUS ANNEXATION.	S	WITHDRAWN FROM CAL
	S	PLACED ON CAL FOR 6/23/2004
07-17-03, 07-19-03, 06-21-04		
#H1386 INDIAN TRAIL TOWN ATTORNEY.	HR	CH. SL 2004-9
05-20-04, 06-10-04		
#H1426 GREENVILLE PARKING DECK PROJECTS.	HR	CH. SL 2004-10
05-20-04		

#H1433 WAKE CTY HISTORIC PRESERVATION COMM.	HR	CH. SL 2004-11
05-20-04		
#H1454 CHOCOWINITY STAGGERED TERMS.	HR	CH. SL 2004-12
05-27-04		
H1471 BAKERSVILLE DEANNEXATION.	S	WITHDRAWN FROM CAL
	S	PLACED ON CAL FOR 6/23/2004
H1526 RANDLEMAN SATELLITE ANNEXATIONS.	H	REPTD FAV
	H	CAL PURSUANT RULE 36(B)
#H1551 ASHEVILLE CIVIL SERVICE BOARD.	HR	CH. SL 2004-13
H1553 GRIMESLAND BOUNDARY RESTATEMENT.	S	WITHDRAWN FROM CAL
	S	PLACED ON CAL FOR 6/23/2004
#H1564 CHARLOTTE REGIONAL VISITORS AUTHORITY.	HR	CH. SL 2004-14
H1569 COLUMBUS COUNTY SERVICE FEES.	H	REC TO CONCUR S COM SUB
	H	CAL PURSUANT RULE 36(B)
06-16-04		
#H1588 MONROE CLAIMS SETTLEMENT.	HR	CH. SL 2004-15
06-03-04		
H1613 CHOWAN/ANSON HUNTING LAWS.	H	PASSED 2ND & 3RD READING
06-16-04		
H1640 DARE AFFORDABLE HOUSING FOR TEACHERS.	H	RATIFIED
05-26-04		
H1659 PERQUIMANS HUNTING STAND AMENDMENT.	H	PASSED 2ND & 3RD READING
H1662 CHEROKEE/CLAY/SHOOTING FROM RIGHT-OF-WAY.	H	PASSED 2ND & 3RD READING
06-16-04		
H1671 MOORESVILLE STREETS AND SIDEWALKS.	H	PASSED 2ND READING
H1684 VANCE FOX SEASONS.	H	PASSED 2ND & 3RD READING
H1724 HARNETT AND PITT SUBDIVISIONS.	H	PASSED 2ND & 3RD READING
06-17-04		
S0179 29TH SENATORIAL DISTRICT LOCAL ACT-1.	S	WITHDRAWN FROM COMM
	S	RE-REF COM ON STATE GOVERNMENT, LOCAL GOVERNMENT, AND VETERANS' AFFAIRS
S1060 TOWN OF FRANKLIN OCCUPANCY TAX.	S	WITHDRAWN FROM CAL
	S	PLACED ON CAL FOR 6/23/2004
S1096 CONCORD/KANNAPOLIS BOUNDARIES ADJUSTED.	H	PASSED 2ND READING
S1125 JOHNSTON CORONER ABOLISHED.	H	PLACED ON CAL FOR 6/23/2004
S1133 MISENHEIMER MUNICIPAL ELECTIONS.	H	PLACED ON CAL FOR 6/23/2004
S1181 MODIFY ALLEGHANY OCCUPANCY TAX .	S	WITHDRAWN FROM CAL
	S	PLACED ON CAL FOR 6/23/2004
06-02-04		
S1209 DURHAM HOUSING APPEALS BOARD.	H	REC FROM SENATE
	H	REF TO COM ON LOCAL GOVERNMENT II
S1315 CABARRUS BOARD OF EQUALIZATION AND REVIEW.	H	REC FROM SENATE
	H	REF TO COM ON LOCAL GOVERNMENT I
S1347 KANNAPOLIS ABC STORE ELECTION.	H	REC FROM SENATE
	H	REF TO COM ON ALCOHOLIC BEVERAGE CONTROL
S1355 GOLDSBORO NOTICE/ORDINANCE VIOLATION.	H	REC FROM SENATE
	H	REF TO COM ON LOCAL GOVERNMENT II
S1370 GOLDSBORO SURPLUS LOT DISPOSITION.	H	REC FROM SENATE
	H	REF TO COM ON LOCAL GOVERNMENT II
06-16-04		

SUMMARIES OF AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

S 1167. CONDO AND PLANNED COMM. CLARIFICATIONS. Intro. 5/19/04. House committee substitute makes the following changes to 1st edition. Amends GS 47C-3-108 and 47F-3-108 to permit electronic notices of owners' association meetings. Effective Dec. 1, 2004, enacts new GS 14-202(a1), to make it a Class I misdemeanor for any person to secretly or surreptitiously peep underneath or through the clothing being worn by another person, through the use of a mirror or other device, for the purpose of viewing the body or undergarments of another person without their consent. Makes conforming changes.

HOUSE BILLS

H 1415. ALTERNATIVE R&D TAX CREDIT. Intro. 5/12/04. House committee substitute makes the following changes to 1st edition. Substantially similar to amendments to GS Ch. 105, Art. 3F, and GS 105-259(b)(30) contained in Senate Comm. Substitute to H 1414, adopted 6/15/04, except amends GS 105-129.51(b) to repeal Art. for taxable years beginning on Jan. 1, 2009 (was, 2014) and changes effective date to July 1, 2005 (was, Jan 1, 2005).

H 1416. EXTEND AND AMEND JDIG. Intro. 5/12/04. House committee substitute makes the following changes to 1st edition. Changes sunset date to 2007 (was 2009). Provides that each community economic development agreement should include a provision encouraging the business to contract with small businesses headquartered in the state. Defines an "agreement binding" as a binding obligation of the state and that is not subject to state funds being appropriated by the General Assembly. Eases reporting requirements by providing that businesses that benefit from the program must provide a copy of state and federal tax returns upon request. Provides that the General Assembly will conduct a comprehensive systematic study of the JDIG program. Appropriates $300,000 for 2004-05 to conduct the study and requires a complete report of the study to be submitted to the 2005 General Assembly no later than April 1, 2005. Makes other technical changes.

H 1609. CORRECT STREAMLINED SALES TAX INEQUITY. Intro. 5/20/04. House committee substitute makes the following changes to 1st edition. Amends GS 105-164.13(49a) to delete "or distribution."

LEGISLATION ENACTED

SL 2004-8 (H 1465). ALLOW FAMILY BUSINESS TO LEASE FARMLAND. *AN ACT TO ALLOW FARMLAND OWNED BY A FAMILY BUSINESS TO KEEP ITS PRESENT-USE VALUE TAX STATUS WHEN LEASED FOR FARM USE.* Summarized in *Daily Bulletin* 5/17/04. Enacted June 17, 2004. Effective for taxes imposed for taxable years beginning on or after July 1, 2004.

SL 2004-9 (H 1386). INDIAN TRAIL TOWN ATTORNEY. *AN ACT AMENDING THE CHARTER OF THE TOWN OF INDIAN TRAIL TO REMOVE THE REQUIREMENT THAT THE TOWN ATTORNEY SHALL ATTEND ALL TOWN COUNCIL MEETINGS.* Summarized in *Daily Bulletin* 5/12/04, 5/20/04, and 6/10/04. Enacted June 22, 2004. Effective June 22, 2004.

SL 2004-10 (H 1426). GREENVILLE PARKING DECK PROJECTS. *AN ACT TO EXEMPT FROM CERTAIN PUBLIC BIDDING LAWS THE CITY OF GREENVILLE IN THE CONSTRUCTION OF PARKING STRUCTURE PROJECTS IN ITS CENTRAL BUSINESS DISTRICT.* Summarized in *Daily Bulletin* 5/13/04 and 5/20/04. Enacted June 22, 2004. Effective June 22, 2004.

SL 2004-11 (H 1433). WAKE COUNTY HISTORIC PRESERVATION COMMISSION. *AN ACT PROVIDING THAT MEMBERS OF THE WAKE COUNTY HISTORIC PRESERVATION COMMISSION MAY RESIDE WITHIN THE CORPORATE BOUNDARIES OR EXTRATERRITORIAL JURISDICTION OF A MUNICIPALITY WITHIN THE COUNTY.* Summarized in *Daily Bulletin* 5/13/04 and 5/20/04. Enacted June 22, 2004. Effective June 22, 2004

SL 2004-12 (H 1454). CHOCOWINITY STAGGERED TERMS. *AN ACT TO PROVIDE FOR STAGGERED FOUR-YEAR TERMS FOR THE MAYOR AND BOARD OF COMMISSIONERS OF THE TOWN OF*

CHOCOWINITY. Summarized in *Daily Bulletin* 5/17/04 and 5/27/04. Enacted June 22, 2004. Effective June 22, 2004.

SL 2004-13 (H 1551). ASHEVILLE CIVIL SERVICE BOARD. *AN ACT RELATING TO THE TERMS OF THE MEMBERS OF THE CIVIL SERVICE BOARD OF THE CITY OF ASHEVILLE.* Summarized in *Daily Bulletin* 5/20/04. Enacted June 22, 2004. Effective June 22, 2004.

SL 2004-14 (H 1564). CHARLOTTE REGIONAL VISITORS AUTHORITY. *AN ACT TO AMEND THE CHARTER OF THE CITY OF CHARLOTTE CONCERNING THE CHARLOTTE REGIONAL VISITORS AUTHORITY.* Summarized in *Daily Bulletin* 5/20/04. Enacted June 22, 2004. Effective July 1, 2004.

SL 2004-15 (H 1588). MONROE CLAIMS SETTLEMENT. *AN ACT TO AMEND THE CHARTER OF THE CITY OF MONROE TO ALLOW THE CITY COUNCIL TO DELEGATE TO THE CITY MANAGER THE POWER TO SETTLE CERTAIN CLAIMS AGAINST THE CITY.* Summarized in *Daily Bulletin* 5/20/04 and 6/3/04. Enacted June 22, 2004. Effective July 1, 2004

NEXT SESSIONS

June 23, 2004

HOUSE convenes at 2:00 p.m.

SENATE convenes at 2:00 p.m.

i:2004/26

N.C. DOCUMENTS CLEARINGHOUSE

Daily Bulletin

STATE LIBRARY OF NORTH CAROLINA RALEIGH

ACTIONS BY THE NORTH CAROLINA GENERAL ASSEMBLY

Institute *of* Government—School of Government
The University of North Carolina at Chapel Hill
Legislative Reporting Service, Box 7294 State Legislative Building, Raleigh, NC 27601
Phone 919.733.2484 Fax 919.715.3464

House Legislative Day 130 Vol. 2004, No. 26 Senate Legislative Day 132

Wednesday June 23, 2004

BILLS INTRODUCED TODAY

BILL #	SHORT TITLE	IDEN	COMMITTEE	GS INDEX
S 1441	MEMORIALIZING RAY CHARLES		RULES	JOINT RES

SUMMARIES OF BILLS INTRODUCED TODAY

SENATE BILLS

S 1441. MEMORIALIZING RAY CHARLES. *HONORING THE LIFE AND MEMORY OF RAY CHARLES, AN AMERICAN LEGEND.* As title indicates.
Intro. by Dorsett.
Ref. to Rules JOINT RES

CALENDAR ACTION
June 23, 2004

NOTES
1. Amendments and committee substitutes adopted today are summarized in the following section of today's Daily Bulletin.
2. The dates on which previous amendments or committee substitutes were adopted are listed below bill numbers.
3. The action "Cal Pursuant Rule 36b" indicates that the bill has been reported by committee and is awaiting calendaring by the Rules Committee.
4. Enacted bills are indicated by #, failed bills by *.

PUBLIC BILLS

H0257 UNAUTHORIZED USE OF CB EQUIPMENT.	H PLACED ON CAL FOR 6/24/2004
04-24-03, 04-29-03, 06-15-04	
H1136 BILL FRIDAY LEADERSHIP DEVELOPMENT INSTITUTE.	H REC TO CONCUR S COM SUB H REF TO COM ON RULES, CALENDAR, AND OPERATIONS OF THE HOUSE
04-24-03, 06-21-04	
H1152 INSTALLING MV PARTS AND AIR BAGS.	S REPTD FAV COM SUBSTITUTE SA COM SUBSTITUTE ADOPTED
05-01-03, 06-23-04	

This publication is printed on permanent, acid-free paper in compliance with the North Carolina General Statutes.
Institute of Government—School of Government
The University of North Carolina at Chapel Hill

© 2004

H1303 NONPROFITS EXEMPT FROM ADMISSIONS TAX.	S	CONF RPT RECON/WITHDRAWN
	S	CONF COM REPORTED
	S	PLACED ON CAL FOR 6/24/2004
	H	CONF COM REPORTED
	H	PLACED ON CAL FOR 6/23/2004
	HA	CONF REPORT ADOPTED
06-23-03, 07-18-03, 07-19-03, 06-17-04, 06-23-04		
H1370 WORKERS' COMP./TRUCKING.	H	WITHDRAWN FROM COMM
	H	RE-REF COM ON INSURANCE
H1414 CREATE NEW JOBS/RECRUIT NEW BUSINESS.	S	WITHDRAWN FROM CAL
	S	RE-REF COM ON PENSIONS & RETIREMENT AND AGING
	S	REPTD FAV AS AMENDED
	SA	COM AMEND ADPT & ENGROSS # 1
	S	PLACED ON CAL FOR 6/23/2004
	S	AMEND TABLED # 1
	SA	AMEND ADOPTED # 3
	S	AMEND TABLED # 4
	S	AMEND FAILED # 5
	SA	AMEND ADOPTED # 7
	SA	AMEND ADOPTED # 8
	S	PASSED 2ND READING
06-07-04, 06-08-04, 06-15-04, 06-22-04, 06-23-04		
H1415 ALTERNATIVE R&D TAX CREDIT.	H	PLACED ON CAL FOR 6/24/2004
06-22-04		
H1423 APPRENTICESHIP TAX CREDIT.	HA	REPTD FAV COM SUBSTITUTE
	H	RE-REF COM ON APPROPRIATIONS
06-23-04		
H1424 PUBLIC CONSTRUCTION SURETY BONDS.	H	PLACED ON CAL FOR 6/24/2004
H1430 IRC UPDATE AND OTHER TAX CHANGES.	H	REC TO CONCUR S COM SUB
	H	REF TO COM ON FINANCE
	H	COM SUB RULED MATERIAL
05-27-04, 06-16-04		
H1459 SBE/STUDY TEACHER PREP COURSES.	H	PASSED 2ND READING
06-16-04		
H1463 HEALTH INSURANCE INNOVATIONS COMMISSION.	S	REPTD FAV COM SUBSTITUTE
	SA	COM SUBSTITUTE ADOPTED
06-09-04, 06-10-04, 06-23-04		
H1469 DHHS DISEASE MGMT ACTIVITIES.	H	PLACED ON CAL FOR 6/24/2004
06-17-04		
H1540 ENABLING RESOLUTION/UNC/OUT-OF-STATE STUDENTS.	HA	REPTD FAV COM SUBSTITUTE
	H	CAL PURSUANT RULE 36(B)
06-23-04		
H1558 SUPPORT OF THE MILITARY IN NORTH CAROLINA.	H	PASSED 2ND & 3RD READING
H1565 STATE BUDGET ACT.	HA	REPTD FAV COM SUBSTITUTE
	H	CAL PURSUANT RULE 36(B)
06-23-04		
H1594 ALARM SYSTEMS LICENSURE FEES.	H	PASSED 2ND READING
H1699 UNC NONAPPROPRIATED CAPITAL PROJECTS.	H	REPTD FAV
	H	CAL PURSUANT RULE 36(B)
H1723 CHARTER SCHOOL RETIREMENT ELECTION.	HA	REPTD FAV COM SUBSTITUTE
	H	CAL PURSUANT RULE 36(B)
06-23-04		
H1795 MODIFY YOUTH FACILITY DEBT AUTHORIZATION.	HA	REPTD FAV COM SUBSTITUTE
	H	CAL PURSUANT RULE 36(B)
06-23-04		

S0444 SCHOOL INFO/MENINGITIS AND FLU.	HA	REPTD FAV COM SUBSTITUTE
	H	CAL PURSUANT RULE 36(B)
	H	PLACED ON CAL FOR 6/24/2004
06-23-04		
S0486 CUSTOMER INQUIRIES/INSURANCE COVERAGE.	H	PLACED ON CAL FOR 6/24/2004
04-14-03, 06-03-04, 06-21-04		
S0582 PUBLIC HEALTH PREPAREDNESS AND RESPONSE	H	PASSED 2ND & 3RD READING
04-30-03, 06-02-04		
S0754 STOCK CAR RACING THEME SPECIAL PLATES.	H	REC FROM SENATE
	H	REF TO COM ON FINANCE
06-17-04		
S0859 RIVER BASINS ADVISORY COMMISSIONS	H	PLACED ON CAL FOR 6/23/2004
	HA	AMEND ADOPTED #1
	H	PASSED 2ND & 3RD READING
06-12-03, 06-15-04, 06-23-04		
S0933 WETLANDS REIMBURSEMENT/LOCAL TAX BASE.	H	REC FROM SENATE
	H	REF TO COM ON FINANCE
S1063 ELIMINATE IRB WAGE STANDARD.	H	PASSED 3RD READING
06-09-04, 06-21-04		
S1064 FINANCE PARKS, HERITAGE, AND CLEAN WATER.	HA	REPTD FAV COM SUBSTITUTE
	H	RE-REF COM ON APPROPRIATIONS
06-08-04, 06-09-04, 06-10-04, 06-23-04		
S1159 MILITARY AFFAIRS COMM. MEMBERSHIP.	H	PASSED 2ND & 3RD READING
06-02-04		
S1161 MILITARY PLANNING NOTICES.	H	PASSED 2ND & 3RD READING
	S	REC TO CONCUR H COM SUB
	S	PLACED ON CAL FOR 6/24/2004
06-09-04, 06-16-04		
S1218 CHILD RESTRAINT SYSTEMS MODIFIED.	HA	REPTD FAV COM SUBSTITUTE
	H	CAL PURSUANT RULE 36(B)
06-23-04		
S1219 DRY CLEANING SOLVENT CLEANUP ACT AMENDMENTS.	H	PASSED 2ND & 3RD READING
S1244 AMEND NC CEMETERY ACT/INCREASE FEES.	H	REC FROM SENATE
	H	REF TO COM ON FINANCE
06-17-04		
S1312 LOCAL GOV'T EMPLOYEES/457 PLAN.	HA	REPTD FAV COM SUBSTITUTE
	H	CAL PURSUANT RULE 36(B)
06-02-04, 06-23-04		
S1384 AMEND BARBERING LAWS/INCREASE FEES.	H	REC FROM SENATE
	H	REF TO COM ON FINANCE
06-17-04		
S1438 MEMORIALIZING PRESIDENT RONALD W. REAGAN.	S	REC TO CONCUR H COM SUB
	S	PLACED ON CAL FOR 6/24/2004
06-15-04		
S1440 HONOR WILLIAM "BILL" FRIDAY.	H	REC FROM SENATE
	H	CAL FOR IMMEDIATE CONSID
	H	PASSED 2ND & 3RD READING

LOCAL BILLS

H1349 COLUMBUS FOX HUNTING/TRAPPING.	HA	AMEND ADOPTED #1
	H	PASSED 2ND READING
06-23-04		
H1363 LAKE TOXAWAY MOTOR VEHICLE REGULATION.	H	REC TO CONCUR S COM SUB
	H	CAL PURSUANT RULE 36(B)
06-17-04		

H1364 TRANSYLVANIA LAND ACQUISITION/ CONVEYANCE.	S	REPTD FAV
H1425 MORGANTON/BURKE/BROUGHTON MUTUAL AID/ WPCC	S	REPTD FAV
05-27-04		
H1447 GREENVILLE/HENDERSON-ABANDONED JUNK VEHICLES.	H	PLACED ON CAL FOR 6/24/2004
05-24-04, 06-15-04		
H1543 ASHEVILLE ABC BOARD MEMBERSHIP INCREASED.	H	REC TO CONCUR S COM SUB
	H	CAL PURSUANT RULE 36(B)
05-27-04, 06-17-04		
H1569 COLUMBUS COUNTY SERVICE FEES.	H	PLACED ON CAL FOR 6/24/2004
06-16-04		
H1578 PENDER RESCUE SERVICE FEE.	H	WITHDRAWN FROM CAL
	H	RE-REF COM ON RULES, CALENDAR, AND OPERATIONS OF THE HOUSE
06-17-04		
H1608 GREENSBORO ORDINANCE PUBLICATION.	H	CONCURRED IN S/COM SUB
06-02-04, 06-10-04		
H1613 CHOWAN/ANSON HUNTING LAWS.	S	REC FROM HOUSE
	S	REF TO COM ON STATE GOVERNMENT, LOCAL GOVERNMENT, AND VETERANS' AFFAIRS
06-16-04		
H1619 ELIZABETHTOWN CHARTER AMENDMENTS.	S	REPTD FAV
06-03-04		
#H1640 DARE AFFORDABLE HOUSING FOR TEACHERS.	HR	CH. SL 2004-16
05-26-04		
H1659 PERQUIMANS HUNTING STAND AMENDMENT.	S	REC FROM HOUSE
	S	REF TO COM ON STATE GOVERNMENT, LOCAL GOVERNMENT, AND VETERANS' AFFAIRS
H1662 CHEROKEE/CLAY/SHOOTING FROM RIGHT-OF-WAY.	S	REC FROM HOUSE
	S	REF TO COM ON STATE GOVERNMENT, LOCAL GOVERNMENT, AND VETERANS' AFFAIRS
06-16-04		
H1668 AMEND WILSON SUPPLEMENTAL RETIREMENT FUND.	H	REPTD FAV
	H	CAL PURSUANT RULE 36(B)
H1669 CLINTON CITY SCHOOLS PROPERTY TRANSFER.	H	REPTD FAV
	H	CAL PURSUANT RULE 36(B)
H1670 NEWTON FORCE ACCOUNT.	S	REPTD FAV
06-03-04		
H1671 MOORESVILLE STREETS AND SIDEWALKS.	H	PASSED 3RD READING
H1684 VANCE FOX SEASONS.	S	REC FROM HOUSE
	S	REF TO COM ON STATE GOVERNMENT, LOCAL GOVERNMENT, AND VETERANS' AFFAIRS
H1687 CABARRUS BOARD OF EQUALIZATION AND REVIEW.	H	REPTD FAV
	H	CAL PURSUANT RULE 36(B)
06-10-04		
H1724 HARNETT AND PITT SUBDIVISIONS.	S	REC FROM HOUSE
	S	REF TO COM ON STATE GOVERNMENT, LOCAL GOVERNMENT, AND VETERANS' AFFAIRS
06-17-04		

H1730 HOLDEN BEACH SEWER TREATMENT FEE.	H REPTD FAV
	H CAL PURSUANT RULE 36(B)
	H PLACED ON CAL FOR 6/24/2004
H1733 SOUTHPORT UTILITY UNDERGROUNDING.	HA REPTD FAV COM SUBSTITUTE
	H CAL PURSUANT RULE 36(B)
	H PLACED ON CAL FOR 6/24/2004
06-23-04	
H1734 OCEAN ISLE CANAL DREDGING.	HA REPTD FAV COM SUBSTITUTE
	H CAL PURSUANT RULE 36(B)
	H PLACED ON CAL FOR 6/24/2004
06-23-04	
S1060 TOWN OF FRANKLIN OCCUPANCY TAX.	S WITHDRAWN FROM CAL
	S PLACED ON CAL FOR 6/30/2004
S1093 EDGECOMBE/WILSON TAX CERTIFICATION.	H REPTD FAV
	H CAL PURSUANT RULE 36(B)
05-25-04, 06-01-04	
S1096 CONCORD/KANNAPOLIS BOUNDARIES ADJUSTED.	H PASSED 3RD READING
S1122 CHAPEL HILL SCHOOL SITES.	S REPTD FAV TO CONCUR
06-02-04	
S1125 JOHNSTON CORONER ABOLISHED.	H PASSED 2ND & 3RD READING
S1127 INCORPORATE WALLBURG.	H REPTD FAV
	H CAL PURSUANT RULE 36(B)
	H PLACED ON CAL FOR 6/24/2004
06-16-04	
S1133 MISENHEIMER MUNICIPAL ELECTIONS.	H PASSED 2ND & 3RD READING
S1136 DURHAM PROTEST PETITION.	H REC FROM SENATE
	H REF TO COM ON RULES, CALENDAR, AND OPERATIONS OF THE HOUSE
06-17-04	
S1181 MODIFY ALLEGHANY OCCUPANCY TAX .	S WITHDRAWN FROM CAL
	S PLACED ON CAL FOR 6/30/2004
06-02-04	
S1201 ROBESON/NO HUNTING FROM ROADWAYS.	HA REPTD FAV COM SUBSTITUTE
	H CAL PURSUANT RULE 36(B)
06-23-04	

SUMMARIES OF AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

S 444. SCHOOL INFO/MENINGITIS AND FLU (NEW). Intro. 3/17/03. House committee substitute makes the following changes to 1st edition. Replaces existing bill with completely new bill amending various provisions in GS Ch. 115C to require that local boards of education, the Dep't of Public Instruction, and the Div'n of Nonpublic Education ensure that parents and guardians of children enrolled in public schools, charter schools, nonpublic schools and home schools are provided with information about meningococcal meningitis and influenza and available vaccines at the beginning of each school year. Requires that Div'n of Public Health make sample education materials available. Effective July 1, 2004.

S 859. RIVER BASINS ADVISORY COMMISSIONS. Intro. 4/3/03. House amendment makes the following changes to 3rd edition. Makes technical changes only.

S 1064. FINANCE PARKS, HERITAGE, AND CLEAN WATER. Intro. 5/13/04. House committee substitute makes the following changes to 3rd edition. Amends Sections 1.2, 2.2, and 3.2 to limit projects for which special indebtedness may be used to the following: (a) to acquire up to 17,000 acres near NC military bases to prevent encroachment by incompatible development, to a maximum of $26 million; (b) to make capital improvements to

an existing state park as part of its expansion, to a maximum of $5 million; and (c) to make capital improvements to an existing state park as part of its expansion and to acquire up to 6,000 acres, to provide gamelands to help protect NC rivers, and for two new state parks along NC rivers, to a maximum of $37 million. Amends Sections 1.3, 2.3, and 3.3 to delete maximum dollar amounts and refer instead to maximums established in preceding sections.

S 1201. ROBESON/NO HUNTING FROM ROADWAYS (NEW). Intro. 5/20/04. House committee substitute makes the following changes to 1st edition. Deletes provision making it unlawful to fish from the roadway or right-of-way of public road.

S 1218. CHILD RESTRAINT SYSTEMS MODIFIED. Intro. 5/20/04. House committee substitute makes the following changes to 1st edition. Amends GS 20-137.1(c) to clarify that conviction may be avoided if driver purchases restraint system for a vehicle in which the child is normally transported.

S 1312. LOCAL GOV'T EMPLOYEES/457 PLAN. Intro. 5/25/04. House committee substitute makes the following changes to 2nd edition. Deletes amendment to GS 143B-426.24(b)(1) that required that one member of Board be a local government or community college employee. Makes conforming changes.

HOUSE BILLS

H 429. MONETARY COMP./OUTDOOR ADVERTISING. Intro. 3/12/03. Senate committee substitute adopted 6/22/04 makes the following changes to 2nd edition. Completely rewrites bill to create parallel provisions in Chapter 153A and 160A authorizing counties and cities to regulate and require removal of off-premises outdoor advertising signs, and requiring payment of monetary compensation for removal except in circumstances specified in the bill. New law establishes basis for determining amount of compensation and provides for relocation in lieu of compensation under an agreement with the owner of the sign. New law is prospective and does not affect existing ordinances. Repeals S.L. 2003-432, which enacted a moratorium on new or expanded local government ordinances amortizing outdoor advertising signs.

H 1152. CLARIFY DISCLOSURE MV TOTAL LOSS CLAIM (NEW). Intro. 4/10/03. Senate committee substitute makes the following changes to 2nd edition. Replaces existing bill with completely new bill amending GS 20-71.3(a1)(1) to delete requirement of placing "Total Loss Claim" on motor vehicle title. Effective Oct. 1, 2004.

H 1303. NONPROFITS EXEMPT FROM ADMISSIONS TAX. Intro. 5/15/03. Conference report recommends the following changes to 2nd edition to reconcile matters in controversy. Conference report replaces earlier version and recedes from Amendment #1, with effect of restoring original effective date of July 1, 2003. Concurs in Amendment #2 and changes definition of youth athletic contest to one in which participating athlete is not more than (was less than) 19 years of age. Changes effective date of changes in tax discount provisions in Amendment #2 from 2003 to 2004.

H 1349. COLUMBUS/PITT FOX HUNTING/TRAPPING. Intro. 5/10/04. House amendment makes the following changes to 1st edition. Adds Pitt County to the list of counties for which there is an open season for taking foxes.

H 1414. 2004 APPROPRIATIONS ACT. Intro. 5/12/04. Senate committee substitute adopted 6/22/04, makes the following changes to 3rd edition. The third edition of this bill (House version of the 2004 budget) was summarized in the Daily Bulletin of 6/8/04.

CURRENT OPERATIONS AND EXPANSION/GENERAL FUND

Appropriations from the General Fund for the maintenance of state departments, institutions, and agencies, and for other purposes as enumerated are adjusted for the fiscal year ending June 30, 2005, according to the schedule that follows. Amounts set out in brackets are reductions from General Fund appropriations for the 2004-2005 fiscal year.

Current Operations – General Fund	**2004-2005**
EDUCATION	
Community Colleges System Office	32,702,234

Department of Public Instruction	18,976,723
University of North Carolina - Board of Governors	51,389,926
HEALTH AND HUMAN SERVICES	
Department of Health and Human Services	
Office of the Secretary	(3,771,398)
Division of Aging	3,381,000
Division of Blind Services/Deaf/HH	(30,000)
Division of Child Development	7,925,000
Division of Education Services	(152,927)
Division of Facility Services	(450,000)
Division of Medical Assistance	(85,679,913)
Division of Mental Health	(2,462,273)
NC Health Choice	8,800,000
Division of Public Health	7,551,581
Division of Social Services	(7,111,948)
Division of Vocational Rehabilitation	(1,479,294)
Total	(73,480,172)
NATURAL AND ECONOMIC RESOURCES	
Department of Agriculture and Consumer Services	1,135,538
Department of Commerce	
Commerce	(1,106,550)
Commerce State-Aid	950,000
NC Biotechnology Center	5,000,000
Rural Economic Development Center	2,169,000
Department of Environment and Natural Resources	
Environment and Natural Resources	532,721
Clean Water Management Trust Fund	0
Department of Labor	364,216
JUSTICE AND PUBLIC SAFETY	
Department of Correction	(11,184,897)
Department of Crime Control and Public Safety	4,052,681
Judicial Department	4,795,779
Judicial Department - Indigent Defense	11,500,000
Department of Justice	692,508
Department of Juvenile Justice and Delinquency Prevention	1,813,673
GENERAL GOVERNMENT	
Department of Administration	776,330
Office of Administrative Hearings	90,476
Department of State Auditor	(200,000)
Office of State Controller	(99,429)
Department of Cultural Resources	

Cultural Resources	6,692,414
Roanoke Island Commission	0
State Board of Elections	2,222,412
General Assembly	(921,318)
Office of the Governor	
Office of the Governor	42,702
Office of State Budget and Management	148,427
OSBM – Reserve for Special Appropriations	4,375,000
Housing Finance Agency	2,250,000
Department of Insurance	
Insurance	4,062,654
Insurance – Volunteer Safety Workers' Compensation	(1,734,000)
Office of Lieutenant Governor	29,657
Department of Revenue	(1,161,794)
Rules Review Commission	(3,185)
Department of Secretary of State	260,000
Department of State Treasurer	
State Treasurer	424,708
State Treasurer – Retirement for Fire and Rescue Squad Workers	665,000
TRANSPORTATION	
Department of Transportation	(228,056)
RESERVES, ADJUSTMENTS AND DEBT SERVICE	
Reserve for Compensation Increases	257,200,000
Reserve for Salary Adjustment Fund	1,370,649
Reserve for LEO Salary Adjustments	2,007,385
Reserve for State Health Plan	(7,800,000)
Reserve for Teachers' and State Employees' Retirement Rate Adjustment	16,065,000
Reserve for Consolidated Judicial Retirement	410,000
Retirement System Payback	10,000,000
Job Development Incentive Grants Reserve	4,000,000
Mental Health, Developmental Disabilities, and Substance Abuse Services Trust Fund	10,000,000
Senate Bill 100 Compliance	(11,813,949)
Debt Service	
General Debt Service	(82,888,480)
Federal Reimbursement	460,432
TOTAL CURRENT OPERATIONS - GENERAL FUND	**267,006,415**

GENERAL FUND AVAILABILITY STATEMENT

The General Fund availability used in adjusting the 2004-2005 budget is shown below:

	2004-2005

Unappropriated Balance Remaining from FY 2003-2004	**145,664,254**
Projected Reversions from FY 2003-2004	150,000,000
Projected Over Collections from FY 2003-2004	222,150,000
Additional FY 2003-2004 Appropriations (HB 1352, 3rd Ed.)	(44,100,000)
Year-End Unreserved Credit Balance	**473,714,254**
Credit to Savings Reserve	(100,000,000)
Credit to Repairs and Renovations Reserve Account	(18,370,649)
Credit for ABC Bonuses Earned in FY 2003-2004	(108,000,000)
Beginning Unreserved Credit Balance FY 2004-2005	**247,343,605**
Revenues Based on Existing Tax Structure	**14,742,028,250**
Nontax Revenues	
Investment Income	86,020,000
Judicial Fees	136,730,000
Disproportionate Share	100,000,000
Insurance	53,900,000
Other Nontax Revenues	261,517,607
Highway Trust Fund Transfer	242,586,830
Highway Fund Transfer	16,166,400
Subtotal Nontax Revenues	**896,920,837**
Total General Fund Availability	**15,869,663,341**
Adjustments to Availability: 2004 Session	
Internal Revenue Code Conformity HB 1430	(2,600,000)
Reserve for Finance Provisions of HB 1414	(25,700,000)
Tobacco Payments Decline - Tobacco Trust Fund	(5,000,000)
Surplus Property Sales - 2004 Adjustment	10,000,000
Additional Credit to the R&R Reserve Account from Sale of Surplus Property	(40,000,000)
Transfer from Fire Safety Loan Fund	250,000
Transfer from Veterans' Home Trust Fund	500,000
Transfer from Information Technology Services Internal Service Fund	2,180,000
Adjust Reimbursement from Insurance Regulatory Fund	4,062,654
Adjust Reimbursement for Department of State Treasurer	424,708
Subtotal Adjustments to Availability: 2004 Session	**(55,882,638)**
Revised General Fund Availability for 2004-2005 Fiscal Year	**15,830,410,054**
Less: Total General Fund Appropriations for 2004-2005 Fiscal Year	**(15,813,780,703)**
Unappropriated Balance	**0**

Notwithstanding GS 143-16.4(a2), of the funds credited to the Tobacco Trust Account from the Master Settlement Agreement pursuant to Section 6(2) of S.L. 1999-2 during the 2004-2005 fiscal year, the sum of thirty-five million dollars ($35,000,000) shall be transferred from the Department of Agriculture and Consumer Services, Budget Code 23703 (Tobacco Trust Fund), to the State Controller to be deposited in Nontax Budget Code 19978 (Intra State Transfers) to support General Fund appropriations for the 2004-2005 fiscal year.

Notwithstanding GS 143-16.4(a1), of the funds credited to the Health Trust Account from the Master Settlement Agreement pursuant to Section 6(2) of S.L. 1999-2 during the 2003-2004 fiscal year, the sum of twenty million dollars ($20,000,000) that would otherwise be deposited in the Fund Reserve established by GS 147-86.30(c) and five million dollars ($5,000,000) of the funds that are not reserved pursuant to GS 147-86.30(c)

shall be transferred from the Department of State Treasurer, Budget Code 23460 (Health and Wellness Trust Fund), to the State Controller to be deposited in Nontax Budget Code 19978 (Intra State Transfers) to support General Fund appropriations for the 2003-2004 fiscal year.

Notwithstanding GS 143-16.4(a1) and GS 147-86.30, of the funds credited to the Health Trust Account from the Master Settlement Agreement pursuant to Section 6(2) of S.L. 1999-2 during the 2004-2005 fiscal year, the sum of twenty-five million dollars ($25,000,000) shall be transferred from the Department of State Treasurer. Budget Code 23460 (Health and Wellness Trust Fund), to the State Controller to be deposited in Nontax Budget Code 19978 (Intra State Transfers) to support General Fund appropriations for the 2004-2005 fiscal year. Any funds remaining after the transfer to the General Fund shall be deposited in the Nonreserve Fund, not to exceed a total deposit of twenty million dollars ($20,000,000). If the total amount deposited to the Nonreserve Fund equals twenty million dollars ($20,000,000) and there are additional remaining funds, then those funds shall be deposited in the Reserve Fund.

Notwithstanding GS 143-15.2 and GS 143-15.3A, the State Controller shall transfer thirty-five million dollars ($35,000,000) from the unreserved credit balance to the Repairs and Renovations Reserve Account on June 30, 2004. This subsection becomes effective June 30, 2004.

Funds transferred under this section to the Repairs and Renovations Reserve Account or otherwise credited to the Repairs and Renovations Reserve Account by this act are hereby appropriated for the 2004-2005 fiscal year to be used in accordance with GS 143-15.3A.

If funds anticipated by this act from over collections in General Fund revenue for the 2003-2004 fiscal year or from the sale of surplus property during the 2004-2005 fiscal year are under realized, the Director of the Budget shall reduce the amount transferred or otherwise credited to the Repairs and Renovations Reserve Account pursuant to this act by a corresponding amount.

Notwithstanding GS 143-15.2 and GS 143-15.3, the State Controller shall transfer only one hundred million dollars ($100,000,000) from the unreserved credit balance to the Savings Reserve Account on June 30, 2004. This is not an "appropriation made by law", as that phrase is used in Article V, Section 7(1) of the North Carolina Constitution. This subsection becomes effective June 30, 2004.

The State Controller shall transfer one hundred eight million dollars ($108,000,000) from the General Fund unreserved credit balance to the Department of Public Instruction on June 30, 2004. These funds are hereby appropriated to the Department of Public Instruction for the 2003-2004 fiscal year and shall be used to provide ABC bonuses for schools that met or exceeded projected levels of improvement in student performance during the 2003-2004 school year.

These funds shall not revert at the end of the 2003-2004 fiscal year, but shall remain available until expended for this purpose. This subsection becomes effective June 30, 2004.

Section 6.23(a1) of S.L. 2003-284, as enacted by Section 2 of S.L. 2003-283, is repealed.

Notwithstanding GS 165-48, five hundred thousand dollars ($500,000) of the cash balance remaining in the NC Veterans Home Trust Fund (Budget Code 64106, Fund 6771) on July 1, 2004, shall be transferred to the State Controller to be deposited in Nontax Budget Code 19978 (Intra State Transfers). These funds shall be used to support the General Fund appropriation for the 2004-2005 fiscal year for the start-up cost of the State Veterans Nursing Home in Salisbury.

Notwithstanding GS 116-44.8, two hundred fifty thousand dollars ($250,000) of the cash balance remaining in the Fire Safety Loan Fund (Budget Code 63414, Fund 6510) on July 1, 2004, shall be transferred to the State Controller to be deposited in Nontax Budget Code 19978 (Intra State Transfers). These funds shall be used to support General Fund appropriations for the 2004-2005 fiscal year.

On July 1, 2004, the State Controller shall transfer two million one hundred eighty thousand dollars ($2,180,000) from Information Technology Services Budget Code 74660, to Nontax Budget Code 19978 (Intra State Transfers) to support General Fund appropriations for information technology programs and activities across State government for the 2004-2005 fiscal year.

CURRENT OPERATIONS AND EXPANSION/HIGHWAY FUND

Appropriations from the Highway Fund for the maintenance and operation of the Department of Transportation, and for other purposes as enumerated, are made for the fiscal year ending June 30, 2005, according to the schedule that follows. Amounts set out in brackets are reductions from Highway Fund appropriations for the 2004-2005 fiscal year.

Current Operations – Highway Fund	**2004-2005**
Transportation Administration	$ 1,227,072

Operations –		
Match for Federal Aid		–
Construction Program:		
State Secondary System		410,000
State Urban System		14,000,000
Discretionary Funds		5,000,000
Spot Safety Improvements		–
Access and Public Service Roads		–
Maintenance		17,438,991
Capital Improvements		–
Ferry Operations		1,000,000
State Aid to Municipalities		410,000
State Aid to Railroads		–
State Aid for Public Transportation		(436,479)
Asphalt Plant Cleanup		–
Governor's Highway Safety Program		–
Division of Motor Vehicles		1,218,921
Appropriations to Other State Agencies		1,030,489
Reserves and Transfers	18,076,591	
Total		**$59,375,585**

HIGHWAY FUND AVAILABILITY STATEMENT

The Highway Fund appropriations availability used in developing modifications to the 2004-2005 Highway Fund budget contained in this act is shown below.

Highway Fund Budget Reform Statement	**2004-2005**
Beginning Credit Balance	–
Estimated Revenue	$ 1,390,900,000
Estimated Reversions	–
Total Highway Fund Availability	**$ 1,390,900,000**

HIGHWAY TRUST FUND APPROPRIATIONS

Appropriations from the Highway Trust Fund for the maintenance and operation of the Department of Transportation, and for other purposes as enumerated, are made for the fiscal year ending June 30, 2005, according to the schedule that follows. Amounts set out in brackets are reductions from Highway Trust Fund appropriations for the 2004-2005 fiscal year.

Current Operations – Highway Trust Fund	**2004-2005**
Intrastate System	(7,488,716)
Urban Loops	(3,028,125)
Aid to Municipalities	(785,741)
Secondary Roads	236,830
Administrative Expense	(439,735)
Transfer to General Fund	66,513
GRAND TOTAL CURRENT OPERATIONS AND EXPANSION	**(11,572,000)**

BLOCK GRANTS

DHHS BLOCK GRANTS

Appropriations from federal block grant funds are made for the fiscal year ending June 30, 2005, according to the following schedule:

COMMUNITY SERVICES BLOCK GRANT		
01.	Community Action Agencies	$ 15,266,973
02.	Limited Purpose Agencies	848,165
03.	NC Interagency Council for Homeless Programs	262,472
04	Department of Health and Human Services to administer and monitor the activities of the Community Services Block Grant	848,165
TOTAL COMMUNITY SERVICES BLOCK GRANT		$ 17,225,775
SOCIAL SERVICES BLOCK GRANT		
01.	County departments of social services (Transfer from TANF – $4,500,000)	$ 28,868,189
02.	Allocation for in-home services provided by county departments of social services	2,101,113
03.	Division of Services for the Blind	3,105,711
04.	Division of Facility Services	426,836
05.	Division of Aging – Home and Community Care Block Grant	1,840,234
06.	Child Care Subsidies	6,269,309
07.	Division of Vocational Rehabilitation – United Cerebral Palsy	71,484
08.	State administration	1,693,368
09.	Child Medical Evaluation Program	238,321
10.	Adult day care services	2,155,301
11.	Comprehensive Treatment Services Program	422,003
12.	Department of Administration for the N.C. State Commission of Indian Affairs In-Home Services Program for the Elderly	203,198
13.	Division of Vocational Rehabilitation Services – Easter Seals Society	116,779
14.	UNC-CH CARES Program for training and consultation services	247,920
15.	Office of the Secretary – Office of Economic Opportunity for N.C. Senior Citizens' Federation for outreach services to low-income elderly persons	41,302
16.	Division of Social Services – Child Caring Agencies	1,500,000
17.	Division of Mental Health, Developmental Disabilities, and Substance Abuse Services – Developmentally Disabled Waiting List for services	5,000,000
18.	Transfer to Preventive Health Services Block Grant for HIV/AIDS education, counseling, and testing	145,819
19.	Division of Facility Services – Mental Health Licensure	213,128
20.	Division of Mental Health, Developmental Disabilities, and Substance Abuse Services	3,234,601

TOTAL SOCIAL SERVICES BLOCK GRANT		$ 57,894,616
LOW-INCOME ENERGY BLOCK GRANT		
01.	Energy Assistance Programs	$ 12,775,323
02.	Crisis Intervention	9,192,927
03.	Administration	2,957,339
04	Weatherization Program	4,212,740
05	Department of Administration – N.C. State Commission of Indian Affairs	54,840
06.	Heating Air Repair and Replacement Program	1,966,153
TOTAL LOW-INCOME ENERGY BLOCK GRANT		$ 31,159,322
MENTAL HEALTH SERVICES BLOCK GRANT		
01.	Provision of community-based services for severe and persistently mentally ill adults	$ 6,307,035
02.	Provision of community-based services to children	3,921,991
03.	Comprehensive Treatment Services Program for Children	1,500,000
04.	Administration	568,911
TOTAL MENTAL HEALTH SERVICES BLOCK GRANT		$ 12,297,937
SUBSTANCE ABUSE PREVENTION AND TREATMENT BLOCK GRANT		
01.	Provision of community-based alcohol and drug abuse services, tuberculosis services, and services provided by the Alcohol and Drug Abuse Treatment Centers	$ 20,441,082
02.	Continuation of services for pregnant women and women with dependent children	8,069,524
03.	Continuation of services to IV drug abusers and others at risk for HIV diseases	4,816,378
04.	Child Substance Abuse Prevention	5,835,701
05.	Provision of services to children and adolescents	4,940,500
06.	Juvenile Services – Family Focus	851,156
07.	Allocation to the Division of Public Health for HIV/STD Risk Reduction Projects	383,980
08.	Allocation to the Division of Public Health for HIV/STD Prevention by County Health Departments	209,576
09.	Allocation to the Division of Public Health for the Maternal and Child Health Hotline	37,779
10.	Administration	2,596,307
TOTAL SUBSTANCE ABUSE PREVENTION AND TREATMENT BLOCK GRANT		$ 48,181,983
CHILD CARE AND DEVELOPMENT FUND BLOCK GRANT		
01.	Child care subsidies	$154,163,120
02.	Quality and availability initiatives	17,764,577
03.	Administrative expenses	7,163,654

04.	Transfer from TANF Block Grant for child care subsidies	81,292,880
TOTAL CHILD CARE AND DEVELOPMENT FUND BLOCK GRANT		$260,384,231
TEMPORARY ASSISTANCE TO NEEDY FAMILIES (TANF) BLOCK GRANT		
01.	Work First Cash Assistance	$119,841,508
02.	Work First County Block Grants	94,653,315
03.	Transfer to the Child Care and Development Fund Block Grant for child care subsidies	81,292,880
04.	Child Care Subsidies for TANF Recipients	34,512,238
05.	Child Welfare Workers for local DSS	12,452,391
06.	Transfer to Social Services Block Grant for County Departments of Social Services for Children's Services	4,500,000
07.	Support Our Students – Department of Juvenile Justice and Delinquency Prevention	2,249,642
08.	Domestic Violence Services for Work First Families	1,200,000
09.	After-School Services for At-Risk Children YWCA Central Carolinas Youth Development Programs $176,000	2,249,642
10.	Division of Social Services – Administration	400,000
11.	Child Welfare Training	2,550,000
12.	TANF Automation Projects	592,500
13.	Boys and Girls Clubs	1,000,000
14.	Work Central Career Advancement Center	550,000
15.	WCH-Teen Pregnancy Prevention	1,500,000
16.	Transfer to Social Services Block Grant for Child Caring Institutions	1,500,000
17.	Special Children's Adoption Fund	3,000,000
18.	NC Fast Implementation	2,717,298
19.	Maternity Homes	838,000
20.	Individual Development Accounts	180,000
21.	Reduction of Out-of-Wedlock Births	1,000,000
TOTAL TEMPORARY ASSISTANCE TO NEEDY FAMILIES (TANF) BLOCK GRANT		$368,599,414
MATERNAL AND CHILD HEALTH BLOCK GRANT		
01.	Healthy Mothers/Healthy Children Block Grants to Local Health Departments	9,565,205
02.	High-Risk Maternity Clinic Services, Perinatal Education and Training, Childhood Injury Prevention, Public Information and Education, and Technical Assistance to Local Health Departments, Office of Women's Health	2,207,273
03.	Adolescent Pregnancy Prevention Coalition of NC	150,000
04.	Office of Minority Health	159,000

05.	Services to Children With Special Health Care Needs	4,280,987
06.	School Health Nurse Initiative	3,250,000
	School Health Nurse Initiative Reserve 2005-2006	3,250,000
07.	Administration and Program Support	2,434,303
TOTAL MATERNAL AND CHILD HEALTH BLOCK GRANT		$ 25,296,768

PREVENTIVE HEALTH SERVICES BLOCK GRANT		
01	Statewide Health Promotion Programs	$2,772,294
02.	Rape Crisis/Victims' Services Program – Council for Women	197,112
03.	Transfer from Social Services Block Grant – HIV/AIDS education, counseling, and testing	145,819
04	Administration and Program Support	699,092
05.	Osteoporosis Task Force Operating Costs	150,000
TOTAL PREVENTIVE HEALTH SERVICES BLOCK GRANT		$3,964,317

NER BLOCK GRANTS

Appropriations from federal block grant funds are made for fiscal year ending June 30, 2005, according to the following schedule:

COMMUNITY DEVELOPMENT BLOCK GRANT		
01.	State Administration	$ 1,000,000
02.	Urgent Needs and Contingency	50,000
03.	Scattered Site Housing	13,200,000
04.	Economic Development	10,960,000
05.	Community Revitalization	12,200,000
06.	State Technical Assistance	450,000
07.	Housing Development	2,000,000
08.	Infrastructure	5,140,000
TOTAL COMMUNITY DEVELOPMENT BLOCK GRANT – 2005 Program Year		$ 45,000,000

General Provisions

Preference given to American made products. Adopts House provision.

Rules Review Comm'n transferred to Office of Administrative Hearings; authorization for Rules Review Comm'n to obtain outside counsel. Deletes House provision.

Extend local government hold harmless. Adopts House provision but extends hold harmless to 2009 rather than 2012.

Legislative Commission on State Property/State Property Office duties. Deletes House provision.

Change effective date-private plates on public vehicles. Deletes House provision.

Escheat Fund repayment. Deletes House provision.

Veterans' home trust fund transfer. Adopts House provision.

Fire safety loan fund transfer. Adopts House provision.

ITS budget transfer. Adopts House provision.

Modify Global Transpark debt. Amends GS 147-69.2(b)(11) to extend maturity date of obligations from Sept. 1, 2004, to Sept. 1, 2009.

JDIG appropriation structure. Substantially adopts House provision.

Pottery highway signs. Deletes House provision.

Dep't of Transportation to erect informational signs for historic district in the City of Kings Mountain. Deletes House provision.

No elected state officials in public service announcements paid for by state funds, federal funds, or funds received from settlement of litigation. Deletes House provision.

Proceeds from sale of surplus property credited to the Repairs and Renovations Reserve Account. Directs that unless otherwise provided by law, the clear proceeds of the sale of state-owned surplus property shall be credited to the repairs and Renovations Reserve Account established by GS 143-15.3A.

Study budgeting of occupational licensing boards. Authorizes Legislative Research Comm'n to undertake study as title indicates.

Revise report of budget director. Amends SL 2003-284, sec. 6.2A(b), to direct that the report of Office of State Budget and Management to be made no later than Jan. 15, 2005, rather than as soon as practicable.

Special funds, federal receipts, appropriations. Amends SL 2003-284, sec. 6.1, which deals with the subject of the title, to remove the June 30, 2004, sunset.

Transfers between line items. For 2004-05 only, authorizes departments and agencies to transfer General Fund appropriations between personal service and nonpersonal service line items provided transfer has been approved by the department or agency head and has received prior approval from the Office of State Budget and Management.

Contingency and Emergency Fund allocations. Amends SL 2003-284, sec. 6.4, to allow use of up to $2 million for purposes related to the Base Realignment and Closure Act for 2004-05, and up to $250,000 for statutory purposes other than those set out in GS 143-23(a1(2) for 2004-05.

Authorization to establish receipt-supported positions. Authorizes departments and agencies to establish receipt-supported positions authorized in this act upon approval by the Director of the Budget.

Reporting of non-state entities. Makes following amendments to GS 143-6.1: (1) provides that if the Director of the Budget finds that a non-state entity (as defined) has spent or encumbered funds for an unauthorized purpose, the director shall take appropriate administrative action to see that no further irregularities occur and shall report to the Attorney General any apparent violation of a criminal law; (2) a grantee of state funds must ensure that the funds are spent in accordance with the purposes for which they were granted, be accountable for their expenditure, and maintain such records and reports as may be required; (3) grantees shall ensure that work papers in the possession of their auditors are available to the State Auditor and provide the work papers upon request; such papers are not public records within the meaning of GS 132-1.

Establish North Carolina economic infrastructure program. Appropriates from General Fund $20 million for 2004-05 to the Rural Economic Development Center, Inc., as title indicates. Section effective only if H 1352, or similar legislation appropriating funds for the NC Economic Infrastructure Program, does not become law.

Authorize acquisition of options for site development and authorize consultant contracts for recruitment. Amends GS 143B-437.02 and 143B-431 as title indicates.

Appropriation for One North Carolina Fund and the New and Expanding Industry Training Program. Appropriates from General Fund $20 million for 2004-05 as title indicates and states it is the General Assembly's intent that there be a recurring annual appropriation to the Fund of $10 million beginning in 2006-07. Appropriates from General Fund $4,100,000 to Community Colleges System Office for 2004-05 for new and expanding industry training. Incorporates the substantive provisions of S 1117, introduced 5/17/04, which codifies the One North Carolina Fund provision in GS Ch. 143B.

William Friday Institute for Higher Education Leadership. Substantially similar to the Senate Committee Substitute for H 1136, adopted 6/21/04.

Limit use of impervious parking surfaces for sale of nursery stock. Effective Jan. 1, 2005, and applicable to retail premises first opened for business on or after that date, enacts new GS 143-214.7(d1) to provide that a retail merchant shall not use more than 200 square feet of impervious surface area within the portion of the merchant's premises that is designed to be used for vehicular parking and for vehicular and pedestrian ingress and egress to the parking lot for the display and sale of nursery stock.

Town of Cornelius median cuts. Directs Dep't of Transportation to construct 6 median cuts on Catawba Ave. in Cornelius at locations designated by the town.

Funds for farmland preservation projects. Provides that for 2004-05 only, the Board of Trustees of the Clean Water Management Trust Fund may allocate up to $4,100,000 to match federal, state, local, and private funds to acquire permanent conservation easements on working farms and forests. Directs Dep't of Ag. And Consumer Services to prepare a master plan for farmland preservation in NC.

Public Schools

Teacher salary schedules. For 2004-05, adopts monthly salary schedule ranging from $2,548 for an A teacher with 0 years experience to $5,642 for an M teacher with 30 or more years experience and NBPTS certification.

School-based administrator salary schedule. For 2004-05, adopts monthly salary schedule ranging from $3,256 for an assistant principal with 0-4 years experience to $7,561 for a principal VIII with 41 or more years experience.

Experience step increase for teachers and principals in public schools. Provides teachers with twenty-nine years or more experience with a one-time bonus equal to the average increase of the twenty-six to twenty-nine year steps. Provides a one-time bonus of 2 percent to principals and assistant principals who are paid at the top of the salary schedule.

Central office salaries. Adopts House provision with the following changes to the monthly salary ranges for assistant superintendents, associate superintendents, directors/coordinators, supervisors, and finance officers for the 2004-2005 fiscal year, beginning July 1, 2004.

School Administrator I	$2,932	$5,411
School Administrator II	$3,112	$5,740
School Administrator III	$3,303	$6,088
School Administrator IV	$3,436	$6,331
School Administrator V	$3,574	$6,586
School Administrator VI	$3,792	$6,986
School Administrator VII	$3,945	$7,266

Makes the following changes to the monthly salary ranges for public school superintendents for the 2004-2005 fiscal year, beginning July 1, 2004.

Superintendent I	$4,187	$7,709
Superintendent II	$4,445	$8,175
Superintendent III	$4,716	$8,673
Superintendent IV	$5,005	$9,199
Superintendent V	$5,312	$9,760

Changes sec. 7.23(f) to provide that all other permanent full-time personnel shall receive a salary increase of the greater of $1000 or 2.75 percent.

Noncertified personnel salary. Adopts the House provision with the following change. Provides that personnel shall receive a salary increase of the greater of $1000 or 2.75 percent.

Appropriations for continually low-performing schools. Adopts House provision.

Children with disabilities. Adopts House Provision

Funds for academically gifted children. Adopts House Provision

Disadvantaged student supplemental funding. Appropriates $10 million from the General Fund to State Aid to Local School Administrative Units for the 2004-05 fiscal year to provide funding for local school administrative units with the lowest capacity to help disadvantaged students enhance their academic performance. Authorizes the State Board to use any funds that remain after it determines the funding level for each eligible local school district to establish an LEA Assistance Team Reserve.

LEA assistance program. Adopts House provision with the following change. Provides that funds will not revert at the end of each fiscal year.

Local education agency flexibility. Adopts House provision

Small school system supplemental funding. Directs the State Board of Education to allocate funds appropriated for small school system supplemental funding (1) to each county school administrative unit with an average daily membership of fewer than 3,175 students and (2) to each county school administrative unit with an average daily student membership between 3,175 and 4,000 if the county's adjusted property tax base per student is below the state-adjusted property tax base per student and the total average daily membership of all school administrative units in the county is from 3,175 to 4,000.

Replacement school buses funds. Adopts House provision.

K-2 assessment. Adopts House provision with the following change. Clarifies that standardized test may be used to assess children in the first and second grades if required to receive a federal grant under the Reading First Program.

Evaluate validity of ABC accountability system. Adopts House provision

Funds to implement the ABCs of public education. Adopts House provision with the following change. Deletes provisions authorizing the State Board of Education to use funds appropriated for State Aid to Local Administrative School Administrative Units for the 2005-06 to provide incentive funding (1) for schools that exceed

the projected levels of improvement in student performance during the 2004-05 school year and (2) for assistance teams to low performing schools.

Discontinue ineffective program. Adopts House provision.

Restore vocational education funding. Adopts House provision.

Expedite allotments from the ADM Contingency Reserve. Deletes House provision.

Healthful school food choices/pilot program. Deletes House provision.

Visiting international faculty. Adopts House provision.

State Board of Education authority to set certification standards for teachers. Deletes House provision.

Maintain 12-month vocational agriculture teacher positions. Deletes House provision.

Accountability assessment for agricultural education. Directs the State Board of Education to submit an amended State Career-Technical Education Plan to the U.S. Dep't of Education to permit the State Board to field test and collect data on the Agricultural Education Program Standards for two years. Provides that the Dep't of Public Instruction and the Dep't of Agriculture must report on the field test to the Joint Legislative Oversight Committee by October 15, 2005.

Additional teacher positions for third grade. Adopts House provision with following change. Reduces by two (House provision reduced by 4.23) the teacher student ratio for third grade classes.

High school workforce development program. Adopts House provision.

Funds for the Education of Students at Eckerd Youth Camp. Directs local school administrative units to pay Eckerd Youth Alternatives for educational services it provides to school-age students. Sets the maximum payment for each child at 1/180 of the annual amount a charter school located in that unit would receive per child for a maximum of 180 days in the fiscal year.

Funds for the testing and implementation of the new student information system. Adopts House provision with the following change. Provides that the Office of State Budget and Management must, after consultation with the Dep't of Public Instruction, modify the budget structure for funds budgeted for the Uniform Education Reporting System to separate funds for the development and implementation of NC Wise from funds for other reporting systems. Deletes other provisions of House version.

Experience step increase for teachers and principals in public schools. Deletes House provision.

Charter school facility funds. Deletes House provision.

New school bus equipment requirements. Deletes House provision.

Implementation of Alternative Competency Tests. Requires the State Board of Education to adopt or develop and validate the alternative tests required under GS 115C-174.11(b)(3) by April 15, 2005, and implement these tests in the 2005-06 school year.

Teachers for geographically isolated schools. Authorizes the allotment of additional classroom teachers to a school with an average daily membership of fewer than 100, when consolidation is not feasible.

Enhance nutrition in school food program. Prohibits the use of cooking oils that contain trans fatty acids in the operation of public school food programs.

Encourage LEAS to apply for E-rate reimbursements. As title indicates.

Study the efficacy of providing for staff development through regional education service alliances. Authorizes the Joint Legislative Oversight Committee to consider the efficacy of providing for staff development in the core curricular areas through teacher on loan positions at Regional Education Service Alliances and report the results of the study to the 2005 General Assembly.

Local school construction financing study. Establishes a Local School Construction Financing Study Comm'n with 18 members, one appointed by the Governor, eight appointed by the President Pro Tem., eight appointed by the Speaker, and the State Treasurer or his designee. Directs the Comm'n to examine the present system of local financing of school facilities and alternative options.

Children's Trust Fund. Directs the Dep't of Public Instruction to collaborate with the Div. of Social Services and with statewide child abuse and neglect prevention experts to determine best practices in child abuse and neglect prevention, explore additional revenue sources for child protection, and ensure statewide awareness of the Trust Fund and its mission. Requires the Dep't to report annually on revenues and expenditures of the Trust Fund to the Joint Legislative Commission on Governmental Operations.

Community Colleges

Use of funds for the college information system project. Adopts House provision with the following change. Deletes provision authorizing the Community Colleges System Office to use funds other than personal service funds, appropriated for the College Information System Project, to establish new personnel positions to support the project.

Carryforward for equipment. Adopts House provision.

Salaries of community college faculty and professional staff. Adopts House provision with the following change. Decreases to eight percent (from ten percent) the percentage of state funds that community colleges with faculty salaries at 100 percent or more of national average can transfer to support salaries. Decreases to six percent (from eight percent) the percentage of state funds that community colleges with faculty salaries at 95 percent or more of national average can transfer to support salaries. Decreases to five percent (from six percent) the percentage of state funds that community colleges with faculty salaries at 90 percent or more of national average can transfer to support salaries. Decreases to three percent (from four percent) the percentage of state funds that community colleges with faculty salaries at 100 percent or more of national average can transfer to support salaries..

Modify reporting requirement for new and expanding industry training program. Adopts House provision.

New and expanding industries training program funds. Adopts House provision.

NCCATT to operate as the North Carolina Center for Applied Textile Technology at Gaston College. Deletes House provision.

Center for Applied Textile Technology/modify board. Replaces House changes in *NCCATT to operate as the North Carolina Center for Applied Textile Technology at Gaston College.* Amends GS 115D-68 to delete requirement that the President of the Community Colleges System be a member of the board of trustees.

Study of the North Carolina Center for Applied Textile Technology. Authorizes the State board of Community Colleges to study whether the North Carolina Center for Applied Textile technology should remain an independent institution under the Community College System, be administered by a community college, be dissolved and the property transferred from state ownership to county ownership, or be otherwise administered. Directs the State Board to report the results of the study to the Office of State Budget and Management and the Joint Legislative Education Oversight Committee no later than Nov. 30, 2004.

Funds for the Bureau of Training Initiatives Adopts House provision.

Funds for the comprehensive articulation agreement study. Adopts House provision.

Report on adequacy of multicampus funds. Adopts House provision with the following change. Provides that $20,000 of the funds appropriated for off-campus centers must be used by the State Board to assist approved centers with less than 50 FTE.

Community college funding flexibility. Deletes House provision

Middle college start-up funds. Adopts House provision.

Matching funds for career start project. Adopts House provision.

Study of FTE funding formula. Adopts House provision.

Funds for significant FTE increases. Adopts House provision with the following changes. Changes title to *Contingency reserves.* Adds provision requiring that funds also be used to provide one-time grants to colleges in areas with high unemployment due to manufacturing job losses.

Contingency reserve for colleges experiencing high rates of unemployment. Deletes House provision.

State Board reserve allocation for maintenance of plant. Authorizes State Board of Education to use up to $100,000 from the State Board Reserve for 2004-05 to assist small rural low-wealth community colleges to assist new or expanding industries with plant operation and maintenance.

Statewide military business center and homeland security business incubator. Requires that of funds appropriated for a military business center, $200,000 shall be used by the NC Electronics and Information Technologies Assoc. to develop a proposal for the development of a homeland security business incubator and that NCEITA shall report on proposal to General Assembly no later than Feb. 28, 2005. Requires that remainder of funds be used for the development and operation of a military business center by Fayetteville Technical Community College to develop a statewide business assistance center to facilitate the award of military contracts to small- and medium-sized businesses and to plan and implement the development of an industrial park to house military contractors. Makes technical corrections.

Nursing scholarships for worthy and needy students. Enacts new GS 115D-40.2, establishing the Nursing Scholarship Program. Appropriates $5 million from the Escheat Fund to the Community Colleges System Office for 2004-05 to provide scholarships. Requires that the State Board of Community Colleges develop criteria for award of Program funds and that scholarships be granted in the form of a loan. Provides that loan is subject to forgiveness if recipient practices nursing in NC upon graduation, one year of a scholarship loan to be forgiven for each year worked.

Universities

UNC flexibility guidelines. Adopts House provision.

Need-based financial aid from escheat funds. Adopts House provision with the following changes. Increases appropriation to the Board of Governors to $41,344,000 for 2004-05 (was, $21,344,000). Increases appropriation

excess funds appropriated for the Comprehensive Treatment Services Program for Children that are unexpended and unencumbered shall be carried forward and used only for services for children and adolescents.

Funds for PATH Program residence purchase. Deletes House provision.

Use of mental health trust fund monies for capital improvements and expansions at ADACT Centers. Deletes House provision.

Study financing of mental health, developmental disabilities, and substance abuse services. Deletes House provision.

Area program and county program transition flexibility. Adopts House provision.

Dorothea Dix master Plan. Adopts House provision.

DHHS Central Office Contracts Reduction. Provides that the reductions in funds for DHH for technical assistance, training, and service contracts through the Central Office of Div'n of MH/DD/SA Services shall not apply to the contract with NC High School Athletics Ass'n.

Mental health treatment courts. Deletes House provision.

Public Health Task Force reporting requirement. Adopts House provision.

Public Health Improvements. Allocates $50,000 of the DHHS appropriation to accredited local public health agencies to be used for one or more of several listed purposes, and requires report on the accreditation process to the House and Senate appropriations subcommittees on HHS and Fiscal Research Div'n no later than Jan. 1, 2005. Requires expansion of the accreditation process to include additional unspecified counties. Establishes the Pilot Accreditation Advisory Board to evaluate the pilot accreditation process, allocates funds for the activities of the board, and requires the board to report its findings no later April 1, 2005. Requires Dep't to contract with the Institute for Public Health to implement the accreditation process. Provides that the NC Public Health Task Force 2004 shall continue work on the Public Health Improvement Plan and its final report shall include comparisons of the recommendations of the task Force with the Model State Public Health Act, Public Health Statute Modernization National Excellence Collaborative, Sept. 2003.

Early Intervention reporting requirement. Adopts House provision.

AIDS drug assistance program. Adopts House provision.

Maximize ADAP program funding and AIDS/HIV testing. Adopts House provision.

North Carolina Public Health Department incubators. Deletes House provision.

Funds for school nurses. Increases appropriation from $1,750,000 to $4,000,000 and increases number of permanent local nurses from 35 to 80.

Hospital emergency department data reporting. Adopts House provision.

Authorize Child Care Commission to adopt rules for child care facilities for medically fragile children. Adopts House provision.

Criminal history record checks for local child care centers. Adopts House provision.

Increase North Carolina Partnership for Children Board membership. Adopts House provision.

Study Smart Start Funding. Directs the NC Partnership for Children to study its funding, including specific aspects specified in the provision, and to report to the legislature by March 1, 2005.

More at Four Program. Reduces the funds for implementation of the program from $50,979,002 to $46,450,402. Provides that "More at Four" funding shall not supplant any funding for classrooms serving four-year-olds during 2003-2004. Allocates $150,000 of the "More at Four" funds to fund the Center for the Acquisition of Spoken Language Through Listening Enrichment (CASTLE), and $150,000 to contract with Prevent Blindness of NC, Inc., to provide vision screenings.

AGAPE of NC, Inc, on list of agencies eligible to receive funding from State Funds Program. Adds provision as title indicates.

Department of Agriculture and Consumer Services

Sale of Umstead Farm dairy herd and use of proceeds. Adopts House provision.

Study funding for DACS research stations. Adopts House provision.

Provide critical support for NC dairy farmers. Creates the NC Dairy Stabilization and Growth Fund as a nonreverting account in the Dep't of Ag. And Consumer Services to be funded through legislative appropriations, grants, and donations. Funds to be used to provide assistance to NC Dairy Farmers in accordance with program enacted in new G.S. 106-814. New statute creates a base price/subsidy program for milk producers that meet criteria set forth in the statute. New program expires June 30, 2014. Requires the Agriculture and Forestry Awareness Study Comm'n to study and report on the condition of the dairy industry in the state.

Department of Labor

Department of Labor/Apprenticeship Program. Authorizes Dep't to use up to $499,612 of indirect cost receipts in the IDA Fund for 2004-2005 to partly restore funding for the Apprenticeship Program.

Assembly on the activities necessary to allow residents of distressed urban areas to access high-speed Internet, including a training plan for such residents, and the technological and digital literacy training needed to create new technology-based enterprises in these communities and to use the Internet to enhance the productivity of their businesses; and (5) directs the authority to report by Jan. 31, 2005, and quarterly thereafter, to the Joint Legislative Comm'n on Governmental Operations on program development and program evaluation.

Opportunities Industrialization Center Funds. Adopts House provision.

Wanchese Seafood Industrial Park. Adds new provisions prohibiting funds appropriated to the Dep't of Commerce for fiscal 2003-2004 for the Oregon Inlet Project and funds appropriated prior to fiscal 2003-2004 that are unexpended and unencumbered as of June 30, 2004 from reverting and allows them to be expended by the NC Seafood Industrial Park Authority for operations, maintenance, expansion, repair, and capital improvements pursuant to GS Ch. 113, Art. 23. Effective June 30, 2004.

Trade Jobs for Success. Adds new sec. 13.7(a) to substantially incorporate provisions of S 1344, introduced 5/27/04, but deletes the appropriation in S 1344 of $1.5 million for fiscal 2004-2005 to the Dep't of Commerce to undertake the initiative and the appropriation of $750,000 to the Community Colleges System Office to help fund participation of local community colleges in the initiative.

Omnibus Changes to Employment Security Laws/Funds to Support Local ESC Offices. Adds new sec. 13.7B to incorporate provisions of Senate Committee Substitute for S 1388, adopted 6/17/2004.

Judicial Department

Increase maximum magistrate authorizations/study magistrate funding. Deletes House provision.

Collection of Worthless Check Funds. Adopts House provision.

Office of Indigent Defense Services/expansion funds/juvenile defender. Adopts House provisions but deletes authorization for the Office of Indigent Defense Services to use up to $262,407 to create an Office of the Juvenile Defender to be comprised of one attorney position and one support staff position.

Establish a public defender's office in the first defender district. Adopts House provision but changes funds to be used by the Office of Indigent Defense Services for fiscal 2004 –2005 from $600,000 to establish a public defender's office in the First Defender District to $4.4 million to establish public defenders' offices in the First and Tenth Defender Districts.

Pilot program for provision of courtroom testimony of lab analysts by video conference/direct judicial department to study feasibility of a statewide program for providing testimony in that manner. Deletes House provision.

Domestic violence reserves. Deletes House provision.

Mediation Funding Study. Adds new sec. 14.2A directing Joint Legislative Corrections, Crime Control, and Juvenile Justice Oversight Committee to study the funding formula used for providing State funding to community mediation centers and to report to the 2005 General Assembly.

Plan to continue drug court services. Adds new sec. 14.B directing the Administrative Office of the Courts to develop a plan to continue providing drug treatment court services in districts offering those services through time-limited non-state funding and to plan to offer these services in any district where feasible and needed. Directs the Administrative Office of the Courts to report on the plan to the chairs of the House and Senate Appropriations subcommittees on Justice and Public Safety by March 1, 2005.

Department of Justice

Study cost of the DCI-PIN system. Adopts House provision but directs that study shall include an assessment of the Division's operational, personnel, and overhead costs related to the DCI-PIN system on a per-unit basis and include a survey of the funding sources used by other states for their DCI-PIN systems (House version, study is to determine "how those costs have changed since the prior fiscal year.").

Reduce backlog of rape kits. Adopts House provision directing report on the number of rape kits analyzed by private entities and how many of those analyses resulted in arrests or convictions. Specifies that $250,000 shall be used to contract with private entities to reduce the backlog of rape kits in storage in local law enforcement agencies as of July 1, 2004. (House version, dept. may use "available funds"). Adds new GS 58.20 ("Admissibility of Forensic Evidence") that provides as follows: (1) in any criminal prosecution, a laboratory report of a written forensic analysis (including an analysis of the defendant's DNA or forensic sample alleged to be the defendant's DNA) that states the result of the analysis and that is signed and sworn to by the person performing the analysis is admissible in evidence so long as the affidavit is attached to the report; (2) requires that forensic analysis, to be valid, must be performed in accordance with rules of the State Bureau of Investigation (SBI) governing submission, identification, analysis, and storage of forensic analyses; (3) provides that the affidavit of the analyst that analyzes the forensic sample must be on a form developed by the SBI and includes statements concerning the analyst's qualifications; the identification of the lab where the analysis was performed, that the analysis is part

Department of Environment and Natural Resources

Grassroots Science Program. Deletes section from 2003 budget and replaces it with new allocation of funds totaling $3,167,727 (was $2,717,707). Expresses intention of legislature that allocations shall be recurring and made in subsequent years based on the allocation formula for the Grassroots Science Program.

No new funds for statewide beaver damage control program. Deletes House provision.

Twenty-four hour access to Fort Fisher State Recreation Area/funds for department activities at Fort Fisher. House Provision deleted.

Wildlife Resources Commission fiscal responsibility and accountability. Deletes House provision.

Wildlife Resources Commission not subject to service charge for sale of surplus property/recyclable material. Amends G.S. 143-64.05 to exempt the Comm'n. from charge as amended title indicates.

Cost share funds for limited resource/new farmers clarification. Deletes House provision.

Authorize the use of available funds for purchase of Bertie County Forestry Headquarters building/construction of McDowell County Forestry Headquarters building. Adopts House provision.

Partnership for the Sounds funds. Transfers to Pamlico County all funds remaining in the Partnership for the Sounds Funds for the Pamlico County education initiative.

Under Dock Oyster Culture Program. Enacts G.S. 113-210 to establish a permit authorizing the owner of a dock or pier to attach up to 90 square feet of oyster cultivation containers to the dock or pier. Permit is issued by the Director of the Div'n of Marine Fisheries and is valid for one year. Holder of permit is prohibited from selling oysters cultivated pursuant to the permit. Requires Div'n to develop and adopt rules for training of individuals who cultivate oysters under this section.

Animal water management systems technical specialists not required to be professional engineers. Amends G.S. 139-4(d)(11) to add provision as title indicates, and amends G.S. 89C-25 (licensing requirements for engineers) to list applicable activities not prohibited by that Chapter.

State match for federal safe drinking water act funds and for federal water quality act funds. Adds provision requiring Dep't of Comm. to transfer $776,680 from the Industrial Development Fund to DENR to be used to match specified federal grant moneys authorized under the Safe Drinking Water Act and Title VI of the Water Quality Act for this fiscal year.

Expand Express Review Pilot Program. Adopts House provision but limits expansion of program to one office (was two) and specifies Asheville regional office (was, to be chosen by the Dep't) and reduces new positions from eight to four.

Leaking Petroleum Underground Storage Tank Cleanup Fund solvency. Adopts House provision and moved to Part XXX Dep't of Transportation.

Onetime grants to Swain County. Deletes House provision.

Expand one-stop permit assistance program statewide. Deletes provision creating new G.S. 143B-279.12 to establish one-stop permits statewide and provides for expansion of pilot project to Winston-Salem and Fayetteville regional offices.

Prohibit certain grants from the Clean Water Management Trust Fund. Deletes House provision.

Monitoring and emergency cleanup funds for TEXFI site contamination. Deletes House provision.

Department of Commerce

Council of Government Funds. Adopts House provision.

One North Carolina Fund. Deletes House provision.

Tourism promotion funds. Deletes House provision.

One NC Funds to retain traditional industries. Deletes House provision.

Industrial Development Fund. Adopts House provision but changes amount by which Dep't of Commerce shall reduce the cash balance of the Industrial Development Fund from $182,154 to $2,182,154.

Regional Partnerships Vision Plans. Deletes House provision.

Regional Economic Development Commission allocations. Adopts House provision.

Rural Economic Development Center. Adopts House provision and also amends sec. 12.11(a) and adds a new sec.12.11(a1) to SL 2003-284 so as to make the following additions: (1) increases from $1,881,697 to $4,050,697 the funds allocated for fiscal 2004-2005 to the Rural Economic Development Center, increasing from to $370,000 to $2,395,000 the funds allocated for research and demonstration grants and adding $144,000 for the Institute for Rural Entrepreneurship; (2) authorizes $2 million of the fiscal 2004-2005 money allocated for research and demonstration grants to be allocated still further to the e-NC Authority to establish up to four Business and Technology Telecenters; (3) authorizes the e-NC Authority to contract with state agencies, universities, community colleges, and nonprofits to assist with program development and evaluation and to use up to 5% of the allocated funds for program development; (4) directs the e-NC Authority to report to the 2005 General

of the person's regular duties, that scientifically accepted tests were performed with due caution and that the evidence was handled in accordance with accepted procedures while in the lab's custody; (4) provides that the attached affidavit and lab report shall be provided to the charging officer and the clerk of the superior court where criminal charges are pending; (5) provides that the district attorney shall serve copy of the lab report and affidavit on the attorney of record before the proceeding in which the report is to be used; (6) provides that the lab report is not prima facie evidence if the defendant or the defendant's attorney demands the testimony of the person who signed the lab report and issues a subpoena within three days from the date the proceeding is calendared; (7) provides that the defendant may examine the person who signed the lab report as if the person were an adverse witness; and (8) provides the act does not limit the introduction of other competent evidence of forensic analyses. Makes forensic evidence provisions effective Dec. 1, 2004. Also directs the Dep't of Justice to hire no sworn personnel to fill all vacant positions in the SBI lab for which the regular duties do not include serving warrants, responding to crimes prior to the crime scene being secured or entering hazardous situations that may require use of force.

Department of Juvenile Justice and Delinquency Prevention

State funds may be used as federal grant matching funds. Adopts House provision.

Operation of Buncombe Youth Detention Center. Deletes House provision.

Planning for new youth development centers. Adopts House provision along with following additions: (1) requires plan to include an explanation of the security components of the new facilities, including internal and perimeter security; and (2) provides that the Dep't of Administration and the Dep't of Juvenile Justice and Delinquency Prevention may not solicit bids for construction of new youth development centers until either Feb. 1, 2005, or at least 30 days after submission of the plan, which is later (House version, no solicitation until at least 30 days after plan submission).

Youth development center staffing. Reorganizes and edits House version making following changes: (1) requires the long-range plan for implementation of the therapeutic staffing model to be reported by Dec. 1, 2004, to the Joint Legislative Corrections, Crime Control, and Juvenile Justice Oversight Committee, the Chairs of the House and Senate Appropriations Committees, and the Chairs of the House and Senate Appropriations subcommittees on Justice and Public Safety (House version, report by Feb. 1, 2005 to only the last two subcommittees) and (2) specifically deletes authorization for Dep't of Juvenile Justice and Delinquency to use up to $100,000 to reallocate existing positions to youth counselor and youth counselor supervisor positions for youth development centers.

Juvenile recidivism. Adopts House provision.

Electronic monitoring of juveniles. Adopts House provision.

Alternatives to juvenile commitment/juvenile crime prevention councils. Deletes House provision.

Education of juveniles committed to the Dep't of Juvenile Justice and Delinquency Prevention. Deletes House provision.

Department of Correction

Shift pay for security staff. Adopts House provision.

Security staffing formulas. Adopts House provision.

Inmate costs/clothing and laundry services. Adopts House provision.

Federal grant matching funds. Adopts House provision.

Energy committed to offenders/contract and report. Adopts House provision but deletes requirement that the Dep't of Correction, after consultation with the Sentencing and Policy Advisory Comm'n and Energy Committed to Offenders, Inc., recommend the best approach for determining the program's effectiveness to the 2005 General Assembly.

Inmate custody and classification system. Adopts House provision.

Confidentiality of identities of persons Involved with state executions. Adds new GS 15-190 to provide that the identities, including the names, residential addresses, residential telephone numbers, and social security numbers, of witnesses or persons designated to carry out a state execution shall be confidential and exempt from disclosure under the public records law (GS Ch. 132) and are not subject to discovery or introduction as evidence in any proceeding. Authorizes Senior Resident Superior Court Judge for Wake County to order disclosure of names made confidential after making findings of fact that support a conclusion that disclosure is necessary to the proper administration of justice.

Provide that Columbus County Prison shall be constructed in accordance with the same North Carolina State Building Code under which the prisons in Scotland, Anson, Alexander, Greene, and Bettie counties were constructed. Adds provision that a 1000-cell close-security prison to be constructed in Columbus County may be constructed in accordance with the 1996 North Carolina State Building Code as amended through 1999, if

construction begins before July 1, 2005. Provides that section applies only if construction documents have been reviewed and approved by the Dep't of Insurance, the State Construction Office, and the Dep't of Corrections.

Reserve for increasing prison beds at Pamlico Correctional Center. Adds provision that allocates $216,126 for a reserve as title indicates. Allows funds to be used for various other types of equipment if it is feasible to increase bed capacity at Pamlico by 336 beds by double-celling medium custody inmates. Directs Dep't of Correction to work with Dep't of Environment and Natural Resources and the Bay River Metro Sewage Authority to determine if there is current sewage and wastewater capacity for adding 336 inmates and up to 50 staff members and, if there is not, what the costs and possible funding sources might be to add required capacity. Directs the Dep't of Correction to make a progress report to the Joint Legislative Corrections, Crime Control and Juvenile Justice Oversight Committee by Oct. 1, 2004. Directs dep't before using reserve money or establishing positions, to report to the Joint Legislative Comm'n on Governmental Operations, or to the Chairs of the House and Senate Appropriations Committees and the Chairs of the House and Senate Appropriations subcommittees on Justice and Public Safety, if the General Assembly is in session at the time, concerning the sewage treatment and disposal alternatives, the recommended alternative, funding needs and sources, and time line for implementation of increased bed capacity, including staffing and inmate occupancy.

Nonprofit programs. Adopts House provision but provides that the report to the General Assembly must address "the long-term success of (Harriet's House) program graduates" (House version, report must address the number of clients who have been rearrested within three years of successfully completing the program.)

Electronic monitoring program. Adopts House provision but deletes requirement that in evaluating the responses to the RFP the Dep't of Correction shall give preference to proposals making use of equipment manufactured and serviced in the United States.

Inmates eligible for parole. Adopts House provision.

Report by Post-Release Supervision and Parole Comm'n. Adopts House provision with the following changes: (1) requires report by the Post-Release Supervision and Parole Comm'n to be made by Dec. 1, 2004, (House version, by Oct. 1, 2004) and requires that it include the percentage of each analyst's time devoted to post-release supervision cases during each of the last five-years; (2) directs the Dep't of Correction, in consultation with the Comm'n, to review alternatives for transferring the responsibility for setting conditions of post-release supervision to another division within the dep't or to the Judicial Dept. Directs the dep't to report in writing to the Chairs of the House and Senate Appropriations Committees, the Chairs of the House and Senate Appropriations subcommittees on Justice and Public Safety, and the Joint Legislative Comm'n on Governmental Operations by Dec. 1, 2004.

Criminal Justice Partnership Program. Adopts House provision, but adds declaration that notwithstanding GS 143B-273.15, funding to programs for the fiscal 2004-2005 shall be established according to the amounts appropriated for fiscal 2003-2004.

Collection of offender fees. Adopts House provision.

Provide that the unlawful distribution of methamphetamine that proximately results in the death of a person is second degree murder, make it an aggravating factor to manufacture methamphetamine in a location that endangers a child, increase the criminal penalty for the unlawful manufacture of methamphetamine, increase the criminal penalty for the possession of precursor substances for methamphetamine, and require the Commission for Health Services to establish decontamination standards for property used for the manufacture of methamphetamine. Adds new sec. 17.13 incorporating provisions of Senate Committee Substitute for S 1054, adopted 5/27/04.

Department of Crime Control and Public Safety

Victims' compensation and medical treatment. Adopts House provision but rewrites acceptance-of-compensation language by declaring that by accepting the compensation paid as an allowable expense, the provider agrees that the compensation is payment in full for the treatment of care and may not charge or otherwise hold a claimant financially responsible for the cost of services in addition to the amount of allowable expense.

Abolish the State Boxing Commission. Repeals GS Ch. 143, Art. 68, as title indicates and makes conforming changes to GS 90-18.3.

Clarify the authority of the State Highway Patrol to operate weigh stations. Amends GS 20, Art. 3B, as title indicates. Provides that both sworn and unsworn personnel are authorized to weigh vehicles and assess civil penalties but sworn personnel of the State Highway Patrol are empowered to supervise all nonsworn personnel assigned to weigh stations.

Report on VIPER System. Adds provision requiring the Criminal Justice Information Network (CHIN) Governing Board and Dep't of Crime Control and Public Safety to report to the Joint Legislative Transportation Oversight Committee and to the Joint Legislative Corrections, Crime Control, and Juvenile Justice Oversight

Committee on the Voice Interoperability Plan for Emergency Responders (VIPER) System by Dec. 1, 2004. Requires the report to include a detailed project plan for the system, the projected costs to the state, the revenue sources to fund the system, and the amount of total state funding, including Highway Fund support, recommended by the CHIN Board and the dep't. Requires that the report also address the potential cost to, and any other impact on, county and local governments.

Department of Administration

Allocation of petroleum violation escrow funds. Adopts House provision with added requirement that any appropriated funds that are unexpended or unencumbered at the end of the 2004-2005 fiscal year revert to the special fund from which they were appropriated.

Burial services for veterans on weekends. Adopts House provision but deletes limitation that Veterans Burial Fund monies may be used to cover costs of weekend funerals only if they are not covered by General Fund appropriations for that purpose.

Study of state-funded advertising. Adopts House provision.

Escheat funds for veterans' scholarships. Adopts House provision.

Proceeds from sale of Polk Building in Charlotte. Adopts House provision with editing.

Study of advocacy programs in Dep't of Administration. Adopts House provision.

State veterans cemetery. Adopts House provision but requires that any monies reimbursed by the U.S. Dept. of Veterans Affairs for the design and advance planning of the cemetery expansion project is to be deposited into the General Fund (House version, retained by the Dep't of Administration).

Light Ground Pocosin Property to Wildlife Resources. Adopts house provision.

Blount Street Property Sale. Adopts House provision.

Storm water management for State facilities. Adds new GS 143-214.7(b1) to provide that whenever a state facility is constructed or undergoes a major renovation, either (1) the storm water must be collected and treated on-site; (2) the storm water must be filtered prior to discharge; or (3) the facility must be included in a local or regional storm water collection and treatment system. Amends GS 143-341(3) to provide that in the review of plans by the Office of State Construction, in order for a project to be "feasible," the site development plan and detailed design plans must include plans that demonstrate which of the three alternatives above is proposed.

Office of the State Auditor

Auditor to reduce span of control. Adopts house provision.

Housing Finance Agency

Housing Finance Agency shall create the North Carolina Home Protection Pilot Program and Loan fund in order to assist North Carolina workers who have lost jobs as a result of changing economic conditions in North Carolina when the workers are in need of temporary assistance to avoid losing their homes to foreclosure. Adds new sec. 20A.1 directing the NC Housing Finance Agency to develop and administer a pilot program for those workers indicated in title. Authorizes agency to (1) provide loans to those at risk of foreclosure; (2) designate and approve nonprofit counseling agencies in each participating county that provide direct services and lender negotiations on behalf of unemployed workers; (3) develop methods by which workers may be notified of foreclosure mitigation services; and (4) report to the General Assembly on the effectiveness of the program by May 1, 2005. Directs the Agency to convene meetings of experts for the purpose of developing required report. Requires report to include recommendations regarding (I) the problem of increasing foreclosure filings; (ii) improvements to the laws regarding foreclosure proceedings; and (iii) the benefits and feasibility of creating a foreclosure avoidance loan fund. Authorizes the Agency to use no more than $25,000 to prepare the study, which is also due by May 1, 2005.

Equity-building homes. Directs the Legislative Research Comm'n to study methods of increasing the number of North Carolinians who own "equity-building" homes and report to the 2005 General Assembly. Authorizes Comm'n (1) to determine the extent to which the public is knowledgeable about housing products likely to build equity; (2) identify state, federal, and local barriers to constructing such homes; and (3) investigate the adequacy and funding of programs and counseling programs to educate consumers about home financing products, credit remediation, home maintenance, and foreclosure prevention strategies.

Department of Insurance

Sunset removed for use of Insurance Regulatory Fund monies. Adopts House provision.

Handbooks on Building Code not required. Amends GS 143-138(d) to delete requirement that handbooks describing the NC Building Code be issued.

Continuing education requirements for bail bondsmen. Amends GS 58-71-71(b) to decrease to three (was, six) hours of continuing education required for bail bondsmen.

Information Technology

Multiyear maintenance contracts. Adopts House provision with the following changes. Adopts new sec. 21.2(b) requiring that State Controller provide full justification for authorizations granted under sec. to General Assembly within 60 days after the authorization is granted.

Information technology oversight. Deletes House provision.

Department of Revenue

Call center fee use. Deletes House provision and replaces it with provision appropriating $650,000 from the collection assistance fee account to DOR for the 2004-05 fiscal year for operating costs of a central taxpayer telecommunications service center.

Fee for taxpayer locator services and collection. Adopts House provision.

Modify DOR Reporting to General Assembly. Adopts House provision.

Rules Review Commission

Payment of attorneys' fees. Deletes House provision.

Secretary of State

Transfer of business license information office. Replaces House provision with new provision entitled *Repeal of transfer of consultation requirement under Business License Information Office to Small Business Centers.* Repeals SL 2003-284, Sec. 24.1, as title indicates.

State Board of Elections

Increase match funds for Help America Vote Act (HAVA). Adopts House provision.

State Board of Elections funds to finance judicial campaigns. Provides that those funds appropriated to Board of Elections for 2003-04 that are remaining as of June 30, 2004, shall not revert to the General Fund and shall remain available to finance judicial campaigns.

Office of State Budget and Management

North Carolina Humanities Council reporting. Adopts House provision.

Office of the State Controller

Overpayment audit. Adopts House provision.

State Business Infrastructure Project. Authorizes Office of the State Controller to use up to $1.8 million for 2004-05 from Flexible Benefits Funds to develop an RFP to replace or improve state human resources and payroll systems, RFP to be presented to 2005 Session of General Assembly. Sec. inapplicable to institutions of UNC or Community College System.

Office of State Personnel

Study State Personnel Act. Requires that General Assembly establish a comm. to study act and make a final report to the General Assembly during the 2006 Regular Session.

Department of the State Treasurer

Reestablish state investment officer position. Adopts House provision.

Department of Transportation

Small Urban Contingency Fund. Deletes House provision

Cash flow. Adopts House provision.

Insure cash-flow Fund availability.

Western North Carolina passenger rail service. Adopts House provision.

Indian Culture Center. Deletes House provision.

Visitor center funds. Amends GS 20-79.7(c)(2) to increase to $800,000 (was, $525,000) annual appropriation from the Special Registration Account to Visitor Centers, increase to be distributed to various visitor centers as listed. Enacts new subsection h., appropriating $100,000 to visitor center at the intersection of Highway 701 and NC 904 in Columbus County.

Amend the Highway Trust Fund Act descriptions of intrastate improvement projects. Amends GS 136-179 to revise description of US-74 project to include Shelby Bypass and Cleveland County.

Urban loops. Amends GS 136-180(a) to add Gastonia Loop and modify description of Raleigh Outer Loop.

Small urban contingency funds. Adopts sec. 30.3D.(a) to require that of funds appropriated to DOT, $28 million shall be allocated in 2004-05 for small urban construction projects, funds to be allocated equally among the 14 highway divisions; and $15 million shall be allocated in 2004-05 to be used statewide for rural or small urban highway improvements that enhance highway safety. Requires that DOT report to members of General Assembly on projects funded in each member's district prior to DOT action and report quarterly to the General Assembly on the use of funds. Repeals SL 2003-284, Sec. 29.2 (small urban contingency funds).

Annual overwidth vehicle movement permits and escort driver training for agricultural vehicles. Enacts new GS 20-119(g) requiring that DOT issue annual overwidth permits for vehicles 14 feet and under carrying agricultural equipment or machinery from the dealer to the farm or farm to dealer. Amends GS 20-119(f) to require that DOT implement an in-house training program for agricultural machinery escorts by Sept. 1, 2004.

Currituck County Airport land conveyance. Requires that state convey to Currituck County title to land on which Currituck County Airport is situated for $1.00.

Airport grants for imminent safety threats. Requires that of funds appropriated to DOT for Airport Grants, Dep't shall give priority in making grants to facilities facing imminent safety threats.

DOT shall pave areas in NC Indian Cultural Center. As title indicates.

Passenger vehicles towing other vehicles to keep right. Enacts new GS 20-147.1 as title indicates.

Senator *Ollie Harris Highway and Kings Mountain Historic District signage.* Requires that DOT correct signage designating Senator Ollie Harris Highway and erect signage informing travelers of the Kings Mountain Historic District.

Funds from Dep't of Revenue's Fuel Tax Action Plan. Requires that DOT distribute funds remaining during 2004-05 equally among the 14 Highway Divisions, one-half for contract resurfacing and one-half for highway maintenance. Requires that DOT report to General Assembly before distributing funds.

Leaking Petroleum Underground Storage Tank Cleanup Fund solvency. Adopts House provision.

Stormwater Pilot Project. Requires that $2.5 million of DOT funds available for the Ecosystem Enhancement Program be used for a stormwater pilot project in Dare County.

State dredge study by Joint Legislative Transportation Oversight Committee (JLTOC). As title indicates, Comm. to study the feasibility and cost of constructing and establishing a dredge to be used to clear channels not maintained by the Corps of Engineers and to be used for beach renourishment. Authorizes Comm. to hire an outside consultant in conducting study.

JLTOC to study transportation related drug and alcohol tests. Requires that Comm. study advisability of instituting requirement that employers report to DMV when employee fails a drug or alcohol test.

DOT Project Delivery Study implementation. Requires that DOT implement provisions of the JLTOC Highway Construction Project Delivery Study and report quarterly to JLTOC beginning Oct. 15, 2004 on implementation.

Salaries and Employee Benefits

Salary increases for Governor and Council of State. Increase salary to $121,687 (was, $119, 430)

Salary increases for elected members of Council of State. Increase salaries to $107,397 (was, $105,523).

Salary increases for nonelected department heads. Increases salaries to $104,927 (was, $103,119).

Salary increases for executive branch officials. Increases salaries as follows.

Chairman, Alcoholic Beverage Control Commission	$95,502
State Controller	133,655
Commissioner of Motor Vehicles	95,502
Commissioner of Banks	107,397
Chairman, Employment Security Commission	133,486
State Personnel Director	104,927
Chairman, Parole Commission	87,205
Members of the Parole Commission	80,511
Chairman, Utilities Commission	119,606
Members of the Utilities Commission	107,397
Executive Director, Agency for Public Telecommunications	80,511
Director, Museum of Art	97,859
Executive Director, North Carolina Agricultural Finance Authority	92,958
State Chief Information Officer	133,575

Salary increases for judicial branch officials. Increases salaries as follows.

Chief Justice, Supreme Court	$121,687

Associate Justice, Supreme Court	118,508
Chief Judge, Court of Appeals	115,544
Judge, Court of Appeals	113,570
Judge, Senior Regular Resident Superior Court	110,484
Judge, Superior Court	107,397
Chief Judge, District Court	97,522
Judge, District Court	94,436
Administrative Officer of the Courts	110,484
Assistant Administrative Officer of the Courts	100,917

Provides that average salary of assistant district attorneys or assistant public defenders in the judicial district shall not exceed $61,846 (was, $61,191). Maintains minimum salary of assistant district attorney or assistant public defender at $32,035. Increases the annual salaries of other permanent, full-time employees by the greater of $1,000 or 2.75% (was, $83.34 per month) and permanent part-time employees by pro rata amounts.

Salary increases for clerks of superior court. Increases salaries as follows:

Population	Annual Salary
Less than 100,000	$71,834
100,000 to 149,999	80,609
150,000 to 249,999	89,386
250,000 and above	98,164

Salary increases for assistant and deputy clerks of superior court. Adopts House provision.

Salaries for magistrates. Adopts House provision, but increases salaries at following steps.

Step 4	40,023
Step 5	43,896
Step 6	48,153

Reinserts deleted provisions in GS 7A-171.1(a)(3).

Salaries for General Assembly principal clerks. Increases salaries to $90,734 (was, $89,306).

Salaries for sergeant-at-arms and reading clerks. Adopts House provision.

Salaries for legislative employees. Provides that annual salaries shall be increased by the greater of $1,000 or 2.75% (was, $83.34 per month).

Salaries for community college personnel and University of North Carolina personnel exempt from the State Personnel Act (EPA employees). Provides that annual salaries shall be increased by the greater of $1,000 or 2.75% (was, $83.34 per month). Requires that Director of the Budget transfer to Board of Governors sufficient funds from the Reserve for Compensation Increases to provide an average annual salary increase of 2.75% commencing July 1, 2003, for all teaching employees of the NC School of Science and Mathematics. Amends SL 2003-284, sec. 30.12(b), to delete 1.81% salary increase for teaching employees of School for 2004-05.

Salaries for most state employees. Provides that annual salaries shall be increased by the greater of $1,000 or 2.75% (was, $83.34 per month).

Salary of the Director of the Housing Finance Agency. Adopts House provision with the following changes. Requires that Board of Directors report to Jt. Legis. Comm'n on Governmental Operations on the amount of annual compensation fixed for Executive Director.

Salary adjustment fund. Adopts House provision with the following changes. Provides that $1,370,649 is appropriated in sec. 2.1 of this act to the Salary Adjustment Fund. Deletes sec. 31.16(c).

Temporary sales tax transfer for Wildlife Resources Comm'n salary increases. Requires that Sec'y of Revenue transfer sales and use tax net collections received under Ch. 105, Art. 5, as title indicates.

Insurance benefits for state employees. Enacts new GS 58-31-60(c2), authorizing Employee Insurance Committees to enter into an agreement with one or more other committees to issue joint requests for proposals. Establishes procedure for issuance of such proposals.

Report on proposed UNC unified leave policy. Requires that the Board of Governors report to the General Assembly by Feb. 1, 2005, on the Board's recommendation to implement a unified leave policy, and delineates items that should be addressed.

Salary-related contributions/employer. Amends GS SL 2003-284, sec. 30.16(c) to increase employer contribution rates as follows effective July 1, 2004.

Teachers and State Employees	5.98% (was, 5.77%)
State Law Enforcement Officers	10.98% (was, 10.77%)
Consolidated Judicial Retirement System	15.93% (was, 15.12%)

Cost of living adjustments. Increases all cost of living adjustments to 2%.

Miscellaneous pension increases. Increases monthly pension to $161 (was, $160) per month.

Retired teachers returning to classroom without loss of retirement benefits/option extended. As title indicates, amends SL 1998-212. Sec. 28.24; SL 1998-217, Sections 67 and 67.1 ; and SL 2001-424, Sec. 32.25; to extend option to June 30, 2005. Requires that Retirement Systems Div'n conduct analysis of postretirement reemployment issue and report findings to General Assembly by Feb. 1, 2005. Further requires that effective July 1, 2004, local school administrative units shall pay employer contribution rate of 13.64% for retirement and other benefits for all employees under the age of 59 ½ and who have retired from TSERS and continue to work.

Change District Court judge retirement age. Enacts new GS 7A-4.20(b) providing that a district court judge who reaches age 72 during a term of office may continue in office until the expiration of judge's term. Makes technical corrections.

Clarify that probation and parole officers are covered by the Law-Enforcement Officer's.

Firemen's. Rescue Squad Workers' and Civil Air Patrol Members' Death Benefits Act. Amends GS 143-166.2(d) as title indicates.

Retiree Health Benefit Fund. Adopts House provision.

North Carolina Symphony under State Health Plan. Adopts House provision with the following changes. Amends GS 135-39.6A(d) to require that in setting premiums for employees of the NC Symphony Society, Inc., and their dependents, rates established shall be separate from those affecting active teachers and state employees.

State Health Plan Prescription Drug Program. Deletes House provision.

Preferred providers of emergency medical care. Deletes House provision.

Tricare supplemental health insurance. Adopts House provision.

State Health Plan; Liability of Third Parties; Right of Subrogation; Right of First Recovery. Enacts new GS 135-40.13A providing that Plan shall be subrogated, with a right of first recovery, to Plan member's rights of recovery against liable third parties.

Local governments provided optional coverage under Teachers' and State Employees' Comprehensive Major Medical Plan. Effective July 1, 2004, amends and adds additional provisions to GS Ch. 135, Art. 3, to provide optional health insurance coverage to employees of local governments as title indicates. Applicable only to Bladen, Cherokee, Dare, Halifax, Randolph, and Wilkes Counties.

State Health Plan Executive Administrator and Deputy Executive Administrator exempt from State Personnel Act. Amends GS 135-39.4A and enacts new GS 126-5(c1) as title indicates. Further amends GS 135-39.4A(f) to require Executive Administrator to appoint the Deputy Executive Administrator.

Residential treatment centers/State Health Plan coverage. Amends GS 135-40.7B(b)c. to require that licensed residential treatment facilities must have 24-hour on-site care provided by a registered nurse and that hold current accreditation by a national accrediting body in order that services will be covered by State Health Plan.

State Health Plan coverage limitation. Amends GS 135-40.5(g) to limit prescription drug coverage for erectile dysfunction drugs to three doses per month for each member of the Plan.

Capital Appropriations

Capital appropriations/General Fund. Adopts House provision with the following changes. Appropriates $27,446,000 (was, $22,492,000) to DENR for Water Resources Development Projects. Replaces appropriation for replacement of Port of Wilmington Crane Rail with appropriation of $2 million to Radio Island Development and Improvements. Appropriates following amounts to UNC System: Center for Design Innovation - $2 million; Winston-Salem State University Dep't of Life Sciences - $2 million; N.C. A&T and UNC-Greensboro Millennium Campus - $4 million; NC Motor Sports Testing and Research Complex - $4 million.

Water resources development project funds. Adopts House provision with the following changes. Increases amount allocated to State Local Projects to $3,339,000 (was, $2,339,000). Adds four additional projects as follows:

(1) Neuse Water and Sewer Project	$3,500,000
(2) Silver Lake Harbor (Ocracoke, Hyde County)	280,000
(3) Far Creek Channel Maintenance (Engelhard, Hyde County)	120,000
(4) Walters Slough Maintenance Dredging	54,000

Repair and renovation reserve allocation. Adopts House provision.

Restore bond funds used for mold remediation. Adopts House provision.

Parts XXXII-A through F (Tax Provisions)

Incorporates provisions of Senate Comm. Substitute for H 1414, adopted 6/15/04.

Job Development Investment Grant Program

Job Development Investment Grant Program. Amends GS 143B-437.62 to extend expiration date to enter into new agreements to Jan. 1, 2006 (was, Jan. 1, 2005). Amends GS 143B-437.52(b) to increase cap on agreements to 25 (was, 15). Amends GS 143B-437.52(c) to increase maximum annual liability for grants toe $15 million (was, $10 million), effective Jan. 1, 2005. Effective Oct. 31, 2002, amends GS 143B-437.58(a) to require that tax returns be submitted by March 1 (was, Feb. 1) and to provide that payroll and tax information submitted under this subsection is tax information subject to GS 105-259. Enacts new GS 143B-437.57(c), effective Oct. 31, 2002, providing that a community economic development agreement is a binding obligation of the state and is not subject to funds being appropriated. Enacts new GS 143B-437.57(a)(25) requiring that each community economic development agreement include a provision encouraging the business to contract with small businesses headquartered in the state. Encourages Dep't of Commerce and Economic Investment Comm. to give priority under Program to projects in less economically developed areas.

Miscellaneous Provisions

Executive Budget Act applies. Adopts House provision.

Committee report. Adopts House provision with the following changes. Provides that Senate Comm. Report on the budget dated June 22, 2004 (was, House Comm. Report) shall be use to construe act.

Effective date. Adopts House provisions

H 1423. APPRENTICESHIP TAX CREDIT. Intro. 5/13/04. House committee substitute makes the following changes to 1st edition. Repeals GS 105-129.16D effective Jan. 1, 2008. Appropriates $5,000 from the General Fund to the Dep't of Labor for 2004-05 for costs associated with implementing credit, effective July 1, 2004.

H 1463. HEALTH INSURANCE INNOVATIONS COMMISSION. Intro. 5/17/04. Senate committee substitute makes the following changes to 2nd edition. Makes technical changes only.

H 1540. AUTHORIZING CONSIDERATION OF BILL TO DIRECT UNC TO REPORT OUT-OF-STATE ENROLLMENT (NEW). Intro. 5/20/04. House committee substitute makes the following changes to 1st edition. Replaces provision limiting out-of-state undergraduate enrollment at UNC institutions to 18% with provision directing Board of Governors to report to General Assembly regarding total undergraduate enrollment at each institution and the percentage of out-of-state students.

H 1565. STATE BUDGET ACT. Intro. 5/20/04. House committee substitute makes the following changes to 1st edition. Amends GS 143C-1-3(c) to add statutory references incorporating various university funds that are exempt under that subsection. Adds provision in GS 143C-4-5 (Contingency and Emergency Fund) providing procedure for approval by Council of State when Joint Legislative Comm'n on Gov. Operations does not meet for 30 days. Deletes GS 143C-6-10 (Transfers to Dep't of Health and Human Services). Adds provisions in GS 143C-6-13 (Report on use of state funds by non-state agencies) to require filing with State Auditor in addition to the disbursing state agency, and to specify that filings may be required to be made electronically. Amends GS 143C-8-4 to require Office of State Budget and Management to use needs information approved by the Board of Governors under GS 116-11(9) for university projects. Adds new GS 143C-8-12 providing for approval of new university projects or changes in existing projects that are funded with non-General Fund money. Makes other technical and conforming changes.

H 1723. CHARTER SCHOOL RETIREMENT ELECTION. Intro. 5/27/04. House committee substitute makes the following changes to 1st edition. Changes the schools that may make the election under the bill by removing Hope Elementary School, and adding Lake Norman Charter School in Huntersville, and Exploris Middle School in Raleigh.

H 1733. SOUTHPORT UTILITY UNDERGROUNDING. Intro. 5/27/04. House committee substitute makes the following changes to 1st edition. Provides that utility shall have no obligation to place its lines underground until it receives payment for its costs.

H 1734. OCEAN ISLE CANAL DREDGING. Intro. 5/27/04. House committee substitute makes the following changes to 1st edition. Makes technical corrections.

H 1795. MODIFY YOUTH FACILITY DEBT AUTHORIZATION. Intro. 5/31/04. House committee substitute makes the following changes to 1st edition. Deletes Sec. 2, authorizing the issuance of special indebtedness up to $81,340,000 to be used for construction costs for youth development centers.

LEGISLATION ENACTED

SL 2004-16 (H 1640). DARE AFFORDABLE HOUSING FOR TEACHERS. *AN ACT TO AUTHORIZE THE DARE COUNTY BOARD OF EDUCATION TO CONSTRUCT AND PROVIDE AFFORDABLE RENTAL HOUSING FOR TEACHERS AND OTHER LOCAL GOVERNMENTAL EMPLOYEES.* Summarized in *Daily Bulletin* 5/25/04 and 5/27/04. Enacted June 23, 2004. Effective June 23, 2004

NEXT SESSIONS

June 24, 2004

HOUSE convenes at 2:00 p.m.

SENATE convenes at 10:00 a.m.

5 2004/27

Daily Bulletin

ACTIONS BY THE NORTH CAROLINA GENERAL ASSEMBLY

Institute *of* Government—School of Government
The University of North Carolina at Chapel Hill
Legislative Reporting Service, Box 7294 State Legislative Building, Raleigh, NC 27601
Phone 919.733.2484 Fax 919.715.3464

House Legislative Day 131 Vol. 2004, No. 27 Senate Legislative Day 133

Thursday, June 24, 2004

N.C. DOCUMENTS CLEARINGHOUSE
JUL 0 9 2004
STATE LIBRARY OF NORTH CAROLINA RALEIGH

BILLS INTRODUCED TODAY

NONE

CALENDAR ACTION
June 24, 2004

NOTES
1. Amendments and committee substitutes adopted today are summarized in the following section of today's Daily Bulletin.
2. The dates on which previous amendments or committee substitutes were adopted are listed below bill numbers.
3. The action "Cal Pursuant Rule 36b" indicates that the bill has been reported by committee and is awaiting calendaring by the Rules Committee.
4. Enacted bills are indicated by #, failed bills by *.

PUBLIC BILLS

H0257 UNAUTHORIZED USE OF CB EQUIPMENT.	H CONCURRED IN S/COM SUB
04-24-03, 04-29-03, 06-15-04	
H0354 AMEND DISABILITY LAWS	H PLACED ON CAL FOR 6/28/2004
04-07-03, 07-20-03	
H0429 MONETARY COMP./OUTDOOR ADVERTISING.	S AMEND FAILED # 1
	S PASSED 2ND & 3RD READING
04-08-03, 04-09-03, 06-22-04	
H0817 GUN SALE LEGAL W/CONCEALED HANDGUN PERMIT.	S PASSED 3RD READING
06-15-04	
H0918 INCREASE SERVICE OF PROCESS FEE.	S REPTD FAV AS AMENDED
	SA COM AMEND ADOPTED # 1
07-16-03, 06-24-04	
H0964 FURNITURE REQUIREMENTS CONTRACTS.	S REPTD FAV COM SUBSTITUTE
	SA COM SUBSTITUTE ADOPTED
06-24-04	
H1152 CLARIFY DISCLOSURE MV TOTAL LOSS CLAIM.	S WITHDRAWN FROM CAL
	S PLACED ON CAL FOR 6/28/2004
05-01-03, 06-23-04	
H1303 NONPROFITS EXEMPT FROM ADMISSIONS TAX.	SA CONF REPORT #2 ADOPTED
06-23-03, 07-18-03, 07-19-03, 06-17-04, 06-23-04, 06-24-04	

This publication is printed on permanent, acid-free paper in compliance with the North Carolina General Statutes.
Institute of Government—School of Government
The University of North Carolina at Chapel Hill
© 2004

H1344 HIGHWAY TRUST FUND CHANGES.	HA	REPTD FAV COM SUBSTITUTE
	H	CAL PURSUANT RULE 36(B)
06-24-04		
H1414 CREATE NEW JOBS/RECRUIT NEW BUSINESS.	S	PASSED 3RD READING
	S	ENGROSSED
	H	REC TO CONCUR S COM SUB
	H	CAL FOR IMMEDIATE CONSID
	H	FAILED CONCUR IN COM SUB
	H	CONF COM APPOINTED
06-07-04, 06-08-04, 06-15-04, 06-22-04, 06-23-04		
H1420 REGIONAL AGENCY DEBT SETOFF.	S	REPTD FAV
H1424 PUBLIC CONSTRUCTION SURETY BONDS.	H	PASSED 2ND & 3RD READING
H1455 SBE STUDY ALP FUNDING.	S	PASSED 2ND & 3RD READING
H1456 SBE STUDY USE OF AT-RISK FUNDS.	S	PASSED 2ND & 3RD READING
05-26-04		
H1459 SBE/STUDY TEACHER PREP COURSES.	H	PASSED 3RD READING
06-16-04		
H1463 HEALTH INSURANCE INNOVATIONS COMMISSION.	S	WITHDRAWN FROM CAL
	S	PLACED ON CAL FOR 6/28/2004
06-09-04, 06-10-04, 06-23-04		
H1469 DHHS DISEASE MGMT ACTIVITIES.	H	PASSED 2ND & 3RD READING
06-17-04		
H1555 TAG AGENTS TITLE TRANSACTION FEE.	S	REPTD FAV
06-09-04, 06-17-04		
H1558 SUPPORT OF THE MILITARY IN NORTH CAROLINA.	S	REC FROM HOUSE
	S	REF TO COM ON RULES AND OPERATIONS OF THE SENATE
H1594 ALARM SYSTEMS LICENSURE FEES.	HA	AMEND ADOPTED #1
	H	PASSED 3RD READING
06-24-04		
H1673 EXEMPT PARENTAL SAVINGS TRUST CONTRIBUTIONS.	S	REPTD FAV
S0051 AMEND FRANCHISE TAX LOOPHOLE.	S	CONF REPORT ADOPTED 3RD
07-10-03, 06-15-04, 06-16-04		
S0230 REPEAL UCC ARTICLE ON BULK SALES.	S	WITHDRAWN FROM CAL
	S	PLACED ON CAL FOR 6/28/2004
03-25-03, 06-11-03		
S0444 SCHOOL INFO/MENINGITIS AND FLU.	HA	AMEND ADOPTED #1
	H	PASSED 2ND & 3RD READING
06-23-04, 06-24-04		
S0486 CUSTOMER INQUIRIES/INSURANCE COVERAGE.	H	PASSED 2ND & 3RD READING
04-14-03, 06-03-04, 06-21-04		
S0582 PUBLIC HEALTH PREPAREDNESS AND RESPONSE	S	REC TO CONCUR H COM SUB
	S	PLACED ON CAL FOR 6/28/2004
04-30-03, 06-02-04		
S1043 AGGREGATE TRUCK WEIGHT LIMITS.	S	REPTD FAV COM SUBSTITUTE
	SA	COM SUBSTITUTE ADOPTED
06-24-04		
S1086 PUBLIC TRANSIT DECELERATION LAMPS.	H	REPTD FAV
	H	CAL PURSUANT RULE 36(B)
06-07-04		
S1092 VA-NC INTERSTATE HIGH-SPEED RAIL COMPACT.	H	REPTD FAV
	H	CAL PURSUANT RULE 36(B)
S1159 MILITARY AFFAIRS COMM. MEMBERSHIP.	S	RATIFIED
06-02-04		
S1161 MILITARY PLANNING NOTICES.	S	CONCURRED IN H/COM SUB
06-09-04, 06-16-04		

S1202 SEPTIC SYSTEM SETBACKS FOR PRE-1977 LOTS.	H WITHDRAWN FROM COMM H RE-REF COM ON ENVIRONMENT AND NATURAL RESOURCES
S1218 CHILD RESTRAINT SYSTEMS MODIFIED.	H WITHDRAWN FROM CAL H RE-REF COM ON JUDICIARY IV
06-23-04	
S1219 DRY CLEANING SOLVENT CLEANUP ACT AMENDMENTS.	S RATIFIED
S1312 LOCAL GOV'T EMPLOYEES/457 PLAN.	H WITHDRAWN FROM CAL H RE-REF COM ON RULES, CALENDAR, AND OPERATIONS OF THE HOUSE
06-02-04, 06-23-04	
S1327 NON-STATE ENTITIES REPORTING REQUIREMENTS.	S REPTD FAV COM SUBSTITUTE SA COM SUBSTITUTE ADOPTED
06-24-04	
S1408 HON. GENERAL RUTHERFORD/RUTHERFORD COUNTY ANNIV.	S WITHDRAWN FROM COMM S PLACED ON CAL FOR 6/29/2004
S1438 MEMORIALIZING PRESIDENT RONALD W. REAGAN.	S CONCURRED IN H/COM SUB
06-15-04	
#S1440 HONOR WILLIAM "BILL" FRIDAY.	S RATIFIED SR CH. RES 2004-6
S1441 MEMORIALIZING RAY CHARLES.	S WITHDRAWN FROM COMM S PLACED ON CAL FOR 6/29/2004

LOCAL BILLS

H0224 CABARRUS ANNEXATION.	SA AMEND ADOPTED # 1 S PASSED 2ND READING S ENGROSSED
07-17-03, 07-19-03, 06-21-04, 06-24-04	
H1349 COLUMBUS/PITT FOX HUNTING/TRAPPING.	H PASSED 3RD READING
06-23-04	
H1364 TRANSYLVANIA LAND ACQUISITION/ CONVEYANCE.	S PASSED 2ND & 3RD READING
H1369 EMERALD ISLE ANNEXATION.	S REPTD FAV COM SUBSTITUTE SA COM SUBSTITUTE ADOPTED
06-24-04	
H1385 WASHINGTON/CRESWELL/WALLACE SATELLITE ANNEX.	S REPTD FAV COM SUBSTITUTE SA COM SUBSTITUTE ADOPTED
06-03-04, 06-24-04	
H1425 MORGANTON/BURKE/BROUGHTON MUTUAL AID/ WPCC	S PASSED 2ND & 3RD READING
05-27-04	
H1447 GREENVILLE/HENDERSON-ABANDONED JUNK VEHICLES.	H CONCURRED IN S/COM SUB
05-24-04, 06-15-04	
H1471 BAKERSVILLE DEANNEXATION.	S PASSED 3RD READING
H1475 BADIN SATELLITE ANNEXATION.	S REPTD FAV
H1553 GRIMESLAND BOUNDARY RESTATEMENT.	S PASSED 3RD READING
H1569 COLUMBUS COUNTY SERVICE FEES.	H CONCURRED IN S/COM SUB
06-16-04	
H1593 SWANSBORO ANNEXATION.	S REPTD FAV
H1608 GREENSBORO ORDINANCE PUBLICATION.	H RATIFIED
06-02-04, 06-10-04	
H1619 ELIZABETHTOWN CHARTER AMENDMENTS.	S PASSED 2ND & 3RD READING
06-03-04	

H1649 WAKE IMPAIRED HUNTING REGULATION.	HA REPTD FAV COM SUBSTITUTE
	H CAL PURSUANT RULE 36(B)
06-24-04	
H1670 NEWTON FORCE ACCOUNT.	S PASSED 2ND & 3RD READING
06-03-04	
H1671 MOORESVILLE STREETS AND SIDEWALKS.	S REC FROM HOUSE
	S REF TO COM ON STATE GOVERNMENT, LOCAL GOVERNMENT, AND VETERANS' AFFAIRS
H1726 WINSTON-SALEM CODE ENFORCEMENT.	HA REPTD FAV COM SUBSTITUTE
	H CAL PURSUANT RULE 36(B)
06-24-04	
H1728 LAKE ROYALE POLICE AUTHORITY.	HA REPTD FAV COM SUBSTITUTE
	H CAL PURSUANT RULE 36(B)
06-24-04	
H1730 HOLDEN BEACH SEWER TREATMENT FEE.	H PASSED 2ND READING
H1733 SOUTHPORT UTILITY UNDERGROUNDING.	H PASSED 2ND READING
06-23-04	
H1734 OCEAN ISLE CANAL DREDGING.	H PASSED 2ND READING
06-23-04	
H1737 WINSTON-SALEM STRUCTURES.	HA REPTD FAV COM SUBSTITUTE
	H CAL PURSUANT RULE 36(B)
06-24-04	
S1096 CONCORD/KANNAPOLIS BOUNDARIES ADJUSTED.	S RATIFIED
S1122 CHAPEL HILL SCHOOL SITES.	S CONCURRED IN H/COM SUB
06-02-04	
S1125 JOHNSTON CORONER ABOLISHED.	S RATIFIED
S1127 INCORPORATE WALLBURG.	H PASSED 2ND READING
06-16-04	
S1133 MISENHEIMER MUNICIPAL ELECTIONS.	S RATIFIED
S1178 ABOLISH WILKES COUNTY CORONER.	H REPTD FAV
	H CAL PURSUANT RULE 36(B)
S1233 PINEBLUFF UNOPENED TROLLEY EASEMENTS.	H REPTD FAV
	H CAL PURSUANT RULE 36(B)
S1265 ORANGE CAMPUS PRECINCTS.	S REPTD FAV COM SUBSTITUTE
	SA COM SUBSTITUTE ADOPTED
06-24-04	
S1277 MADISON TOWN ELECTION.	H REPTD FAV
	H CAL PURSUANT RULE 36(B)
06-10-04	
S1279 M & M FIRE DISTRICT CONTRACTS.	H REPTD FAV
	H CAL PURSUANT RULE 36(B)

SUMMARIES OF AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

S 444. SCHOOL INFO/MENINGITIS. Intro. 3/17/03. House amendment makes the following changes to 2nd edition. Makes technical changes only.

S 1043. AGGREGATE TRUCK WEIGHT LIMITS. Intro. 5/11/04. Senate committee substitute makes the following changes to 1st edition. Revises change to GS 20-118(c) as follows. Deletes new subsection 20-118(c)(16) and amends GS 20-118(c)(15) to include within excluded vehicles those transporting bulk soil, bulk rock, sand, sand rock, or asphalt millings from a site that does not have a certified scale for weighing the vehicle Modifies new GS 20-118(e)(6) to provide that the penalty for violating the gross weight or axle-group weight by a dump truck or dump trailer vehicle transporting bulk soil, bulk rock, sand, sand rock, or asphalt millings intrastate

from a site that does not have a certified scale for weighing is one-half of the amount it otherwise would be. Deletes new subsection GS 20-118(l). Adds a new subsection to GS 20-119(g) providing that no law enforcement officer shall issue a citation to a person for a violation if the officer is able to determine that the person has a permit but does not have the permit in his or her possession. No fines will be imposed on a person who was issued a citation, does not have a permit in his or her possession at the time, but submits evidence of a valid permit within 30 days. New subsection GS 20-199(g) becomes effective Jan. 1, 2005. Remainder effective when act becomes law.

S 1265. ORANGE/CHATHAM BOUNDARY (NEW). Intro. 5/24/04. Senate committee substitute makes the following changes to 1st edition. Replaces existing bill with completely new bill establishing the boundary line between Orange and Chatham counties and describing boundary by metes and bounds. Provides that public records related to residents in the impacted area and recorded prior to Jan. 1, 2005, shall remain in original county and that the Boards of Elections of both counties shall transfer voter registration records of those residents affected by boundary change. Effective Jan. 1, 2005.

S 1327. NON-STATE ENTITIES REPORTING REQUIREMENTS. Intro. 5/26/04. Senate committee substitute makes the following changes to 1st edition. Revises definition of "grantee" in GS 143-6.2(b) to state that term does not include any non-state entity subject to the audit and reporting requirements of the Local Government Comm'n. Amends GS 143-6.2(d)(6) to provide that reporting requirements shall require grantees and subgrantees to also file copies of reports and statements filed with state agencies with State Auditor. Enacts additional guidelines for grant monitoring policies and procedures in GS 143-6.2(d), including a requirement that grantor state agencies ensure that grant purpose and reporting requirements are communicated to grantees and subgrantees and that procedures be developed for reinstatement of disbursements and recovery of unexpended state grant funds. Amends GS 143-6.2(g) to grant the Office of State Budget and Management additional power to recover state grant funds. Deletes GS 143-6.2(j) and (k) providing that reports submitted under sec. are public records. Amends GS 143-6.2(k) to require that civil action be filed in the General Court of Justice in Wake County (was, Superior Court). Makes technical corrections.

HOUSE BILLS

H 224. CABARRUS ANNEXATIONS. Intro. 3/5/03. Senate amendment makes the following changes to 4th edition. Deletes Sec. 4, which annexed certain described territory to the Town of Midland.

H 354. AMEND DISABILITY LAWS. Intro. 3/6/03. Conference report recommends the following changes to 3rd edition to reconcile matters in controversy. Amends GS 135-101(6) to redefine "disability" as a "mental or physical incapacity for the further performance of duty of a participant or beneficiary" (was, "physical or cognitive limitations that prevent working"). Amends GS 135-105(a) to provide that a participant is eligible for short-term disability benefits if participant is no longer able to perform usual occupation (was, participant's job or any other available jobs with state). Makes conforming changes.

H 918. INCREASE SERVICE OF PROCESS FEE. Intro. 4/8/03. Senate amendment makes the following changes to 2nd edition. Makes act effective Sept. 1, 2004.

H 964. FURNITURE REQUIREMENTS CONTRACTS. Intro. 4/9/03. Senate committee substitute makes the following changes to 1st edition. Amends GS 143-57.1(a)(1) to require that bids be solicited on a historical weighted average of specific contract items and not on a single item within a class of items. Amends GS 143-57.1(a)(3) to provide that if there is not a qualified vendor among the three best qualified vendors who offer NC-produced furniture, the State Purchasing Officer shall expand the number of qualified vendors, capped at six. Provides that a vendor is qualified if its products conform to the contract specifications, the vendor is listed on the state's qualified products list, and the vendor submits a responsive bid. Effective July 1, 2004.

H 1344. HIGHWAY TRUST FUND CHANGES. Intro. 5/10/04. House committee substitute makes the following changes to 1st edition. Prior version amended GS 136-178 to provide that funds allocated from the Trust Fund for the Interstate System may be used for projects on listed route segments or corridors. Committee substitute provides that funds are primarily intended to be used to complete projects listed in GS 136-179 and if funds cannot be so used, then they may be used for projects on the listed route segments or corridors. Makes some changes to the listed route segments and corridors.

H 1369. EMERALD ISLAND/MIDLAND ANNEXATION (NEW). Intro. 5/11/04. Senate committee substitute makes the following changes to 1st edition. Removes certain territory from the Town of Stanfield and annexes it into the Town of Midland. Describes annexed territory by metes and bounds.

H 1385. VARIOUS MUNICIPALITIES SATELLITE ANNEXATION. Intro. 5/12/04. Senate committee substitute makes the following changes to 2nd edition. Expands applicability by amending GS 160-58.1(b)(5) to exempt the additional cities of Mount Holly, Randleman, and Washington, as well as the towns of Creswell, Fuquay-Varina, Garner, Holly Ridge, Holly Springs, Knightdale, Leland, Mayodan, Morrisville, Rolesville, Wallace, Warsaw, Wendell, and Zebulon.

H 1414. 2004 APPROPRIATIONS ACT. Intro. 5/12/04. Senate amendments adopted 6/23/04 make the following changes to 4th edition. Deletes Sec. 31.18A.(g), which required that school administrative units pay employer contribution rates of 13.64% for certain TSERS retirees. Enacts new GS 15A-1340.16D, which imposes an enhanced sentence for conviction of manufacture of methamphetamine that results in serious injury to a law enforcement officer or firefighter. Inapplicable to offense of packaging of methamphetamine or labeling of container. Effective for offenses committed after Dec. 1, 2004. Deletes amendments to GS 133-3, which authorized UNC constituent institutions to establish construction specifications for building components. Makes technical corrections to Sec. 29.2.

H 1594. ALARM SYSTEMS LICENSURE FEES. Intro. 5/20/04. House amendment makes the following changes to 1st edition. Provides that the fee in GS 74D-7(e)(7) may not exceed $50 for each reconsideration of a license or registration permit that has been filed or returned to the applicant for correctable errors.

H 1649. WAKE IMPAIRED HUNTING REGULATION. Intro. 5/25/04. House committee substitute makes the following changes to 1st edition. Deletes provision making violation of ordinance a Class 3 misdemeanor. Makes technical changes.

H 1726. WINSTON-SALEM/ROANOKE RAPIDS CODE ENFORCEMENT (NEW). Intro. 5/27/04. House committee substitute makes the following changes to 1st edition. Adds Roanoke Rapids to the list of cities authorized to order residential property owners to repair housing to meet minimum code standards. Makes technical changes.

H 1728. LAKE ROYALE POLICE AUTHORITY. Intro. 5/27/04. House committee substitute makes the following changes to 1st edition. Deletes Sec. 3 from 1st edition (pertaining to purchase of materials and supplies through the Dep't of Administration).

H 1737. WINSTON-SALEM/REIDSVILLE STRUCTURES (NEW). Intro. 5/27/04. House committee substitute makes the following changes to 1st edition. Deletes the provision in GS 160A-443(5a) pertaining to applicability of the subdivision. Creates a new GS 160A-443(5b) changing the waiting period to six months for the City of Reidsville.

NEXT SESSIONS

June 28, 2004

HOUSE convenes at 7:00 p.m.

SENATE convenes at 7:00 p.m.

2004/28

Daily Bulletin

ACTIONS BY THE NORTH CAROLINA GENERAL ASSEMBLY

Institute *of* Government—School of Government
The University of North Carolina at Chapel Hill
Legislative Reporting Service, Box 7294 State Legislative Building, Raleigh, NC 27601
Phone 919.733.2484 Fax 919.715.3464

House Legislative Day 132 Vol. 2004, No. 28 Senate Legislative Day 134

Monday, June 28, 2004

BILLS INTRODUCED TODAY

BILL #	SHORT TITLE	IDEN	COMMITTEE	GS INDEX
H 1806	MEMORIALIZING MILTON F. FITCH SR. AND CORA WHITTED FITCH		RULES	JOINT RES
S1442	AUTHORIZING CONSIDERATION OF BUDGET PROVISION		RULES	JOINT RES

SUMMARIES OF BILLS INTRODUCED TODAY

SENATE BILLS

S 1442. AUTHORIZING CONSIDERATION OF BUDGET PROVISION. *AUTHORIZING THE 2003 GENERAL ASSEMBLY, REGULAR SESSION 2004, TO CONSIDER A BILL TO BE ENTITLED AN ACT TO REMOVE THE 2001 BUDGET PROVISIONS WHICH ASSIST TERRORISTS AND VIOLATE ARTICLE I, SECTION 5 OF THE NORTH CAROLINA CONSTITUTION.* As title indicates.
Intro. by Shubert.
Ref. to Rules JOINT RES

HOUSE BILLS

H 1806. MEMORIALIZING MILTON F. FITCH, SR., AND CORA WHITTED FITCH. *HONORING THE LIFE AND MEMORY OF MILTON F. FITCH, SR., AND CORA WHITTED FITCH, DISTINGUISHED CITIZENS AND CIVIL RIGHTS ACTIVISTS.* As title indicates.
Intro. by Farmer-Butterfield.
Ref. to Rules JOINT RES

N.C. DOCUMENTS CLEARINGHOUSE
JUL 09 2004
STATE LIBRARY OF NORTH CAROLINA
RALEIGH

This publication is printed on permanent, acid-free paper in compliance with the North Carolina General Statutes.
Institute of Government—School of Government
The University of North Carolina at Chapel Hill
© 2004

CALENDAR ACTION
June 28 , 2004

NOTES
1. Amendments and committee substitutes adopted today are summarized in the following section of today's Daily Bulletin.
2. The dates on which previous amendments or committee substitutes were adopted are listed below bill numbers.
3. The action "Cal Pursuant Rule 36b" indicates that the bill has been reported by committee and is awaiting calendaring by the Rules Committee.
4. Enacted bills are indicated by #, failed bills by *.

PUBLIC BILLS

H0026 Camera Defeating License Covers Illegal.	H	Concurred In S/Com Sub
03-31-03, 04-15-03, 06-16-04		
H0257 Unauthorized Use of CB Equipment.	H	Ratified
04-24-03, 04-29-03, 06-15-04		
H0354 Amend Disability Laws	HA	Conf Report Adopted
	S	Conf Com Reported
	S	Placed On Cal For 6/29/2004
04-07-03, 07-20-03, 06-24-04, 06-28-04		
H0429 Monetary Comp./Outdoor Advertising.	H	Placed On Cal For 6/29/2004
04-08-03, 04-09-03, 06-22-04		
H0918 Increase Service of Process Fee.	S	Passed 2nd Reading
07-16-03, 06-24-04		
H0964 Furniture Requirements Contracts.	S	Passed 2nd & 3rd Reading
06-24-04		
H1152 Clarify Disclosure MV Total Loss Claim.	S	Withdrawn From Cal
	S	Placed On Cal For 6/29/2004
05-01-03, 06-23-04		
H1344 Highway Trust Fund Changes.	H	Placed On Cal For 6/29/2004
06-24-04		
#H1366 Involuntary Commitment Warrant Clarification.	H	Signed By Gov. 6/25/2004
	HR	Ch. SL 2004-23
#H1373 Increase Penalty-Transit Operator Assault.	H	Signed By Gov. 6/25/2004
	HR	Ch. SL 2004-26
05-25-04		
H1394 8-Year Drivers License/Internet DL Renewal.	H	Withdrawn From Comm
	H	Re-ref Com On Transportation
H1415 Alternative R&D Tax Credit.	H	Fiscal Note Attached
	H	Placed On Cal For 6/28/2004
	H	Amend Failed #1
	HA	Amend Adopted #2
	H	Passed 2nd Reading
	H	Amend Failed #3
	H	Passed 3rd Reading
06-22-04, 06-28-04		
H1420 Regional Agency Debt Setoff.	S	Withdrawn From Cal
	S	Placed On Cal For 7/6/2004
#H1448 Notice Period for Sales and Use Tax Refunds.	H	Signed By Gov. 6/25/2004
	HR	Ch. SL 2004-22
H1453 Discharging Firearm on School Property.	H	Amendment Withdrawn #1
	H	Passed 2nd Reading
H1455 SBE Study ALP Funding.	H	Ratified
H1456 SBE Study Use of At-Risk Funds.	H	Ratified
05-26-04		
H1463 Health Insurance Innovations Commission.	SA	Amend Adopted # 1
	S	Passed 2nd & 3rd Reading
	S	Engrossed
06-09-04, 06-10-04, 06-23-04, 06-28-04		

#H1497 Adopt Flat Fee for Debt Collection.	H	Signed By Gov. 6/25/2004
	HR	Ch. SL 2004-21
05-25-04		
H1540 Enabling Resol./UNC Report Out-of-State Enroll.	H	Placed On Cal For 6/29/2004
06-23-04		
H1555 Tag Agents Title Transaction Fee.	S	Passed 2nd Reading
06-09-04, 06-17-04		
H1565 State Budget Act.	H	Placed On Cal For 6/29/2004
06-23-04		
#H1574 State Parks System Adds. & Study.	H	Signed By Gov. 6/25/2004
	HR	Ch. SL 2004-24
06-01-04		
H1602 Tax Credit for Certain Real Prop. Donations.	HA	Reptd Fav Com Substitute
	H	Cal Pursuant Rule 36(b)
06-28-04		
#H1607 State Nat. & Hist. Preserve Removals.	H	Signed By Gov. 6/25/2004
	HR	Ch. SL 2004-25
06-01-04		
H1609 Correct Streamlined Sales Tax Inequity.	H	Passed 2nd Reading
06-22-04		
H1699 UNC Nonappropriated Capital Projects.	H	Placed On Cal For 6/29/2004
H1723 Charter School Retirement Election.	H	Placed On Cal For 6/29/2004
06-23-04		
H1795 Modify Youth Facility Debt Authorization.	H	Placed On Cal For 6/29/2004
06-23-04		
S0020 Regulate Professional Employer Organization.	HA	Reptd Fav Com Substitute
	H	Cal Pursuant Rule 36(b)
07-10-03, 06-28-04		
S0051 Amend Franchise Tax Loophole.	S	Ratified
07-10-03, 06-15-04, 06-16-04		
S0230 Repeal UCC Article on Bulk Sales.	S	Failed Concur In Com Sub
	S	Conf Com Appointed
03-25-03, 06-11-03		
S0582 Public Health Preparedness and Response	S	Withdrawn From Cal
	S	Placed On Cal For 6/30/2004
04-30-03, 06-02-04		
S0859 River Basins Advisory Commissions	S	Rec To Concur H Com Sub
	S	Placed On Cal For 6/29/2004
06-12-03, 06-15-04, 06-23-04		
S1043 Aggregate Truck Weight Limits.	S	Passed 2nd & 3rd Reading
06-24-04		
S1063 Eliminate IRB Wage Standard.	S	Rec To Concur H Com Sub
	S	Placed On Cal For 6/29/2004
06-09-04, 06-21-04		
S1118 Special License Plates.	HA	Reptd Fav Com Substitute
	H	Cal Pursuant Rule 36(b)
06-03-04, 06-28-04		
S1144 "In God We Trust" Special Plates.	H	Reptd Fav
	H	Cal Pursuant Rule 36(b)
06-02-04		
S1145 Revenue Laws Technical Changes.	HA	Reptd Fav Com Substitute
	H	Cal Pursuant Rule 36(b)
06-07-04, 06-28-04		
S1159 Military Affairs Comm. Membership.	S	Pres. To Gov. 6/25/2004
06-02-04		
S1161 Military Planning Notices.	S	Ratified
06-09-04, 06-16-04		

S1167 Condo and Planned Comm. Clarifications.	H	Placed On Cal For 6/29/2004
06-22-04		
S1219 Dry Cleaning Solvent Cleanup Act Amendments.	S	Pres. To Gov. 6/25/2004
S1327 Non-State Entities Reporting Requirements.	S	Withdrawn From Cal
	S	Re-ref Com On Finance
06-24-04		
#S1438 Memorializing President Ronald W. Reagan.	S	Ratified
	SR	Ch. Res 2004-7
06-15-04		

LOCAL BILLS

H0224 Cabarrus Annexation.	S	Passed 3rd Reading
	H	Placed On Cal For 6/29/2004
07-17-03, 07-19-03, 06-21-04, 06-24-04		
H1363 Lake Toxaway Motor Vehicle Regulation.	H	Concurred In S/Com Sub
06-17-04		
H1364 Transylvania Land Acquisition/ Conveyance.	H	Ratified
H1369 Emerald Isle/Midland Annexation.	S	Passed 2nd Reading
06-24-04		
H1385 Various Municipalities Satellite Annexation.	S	Passed 2nd Reading
06-03-04, 06-24-04		
H1425 Morganton/Burke/Broughton Mutual Aid/ WPCC	H	Ratified
05-27-04		
H1447 Greenville/Henderson-Abandoned Junk Vehicles.	H	Ratified
05-24-04, 06-15-04		
H1471 Bakersville Deannexation.	H	Ratified
H1475 Badin Satellite Annexation.	S	Passed 2nd Reading
H1484 Cleveland County Board of Education Elections.	S	Reptd Fav
H1526 Randleman Satellite Annexations.	H	Withdrawn From Cal
	H	Re-ref Com On Rules, Calendar, and Operations of the House
H1543 Asheville ABC Board Membership Increased.	H	Concurred In S/Com Sub
05-27-04, 06-17-04		
H1553 Grimesland Boundary Restatement.	H	Ratified
H1569 Columbus County Service Fees.	H	Ratified
06-16-04		
H1593 Swansboro Annexation.	S	Passed 2nd Reading
#H1608 Greensboro Ordinance Publication.	HR	Ch. SL 2004-20
06-02-04, 06-10-04		
H1619 Elizabethtown Charter Amendments.	H	Ratified
06-03-04		
H1649 Wake Impaired Hunting Regulation.	H	Passed 2nd & 3rd Reading
06-24-04		
H1668 Amend Wilson Supplemental Retirement Fund.	H	Passed 2nd & 3rd Reading
H1669 Clinton City Schools Property Transfer.	H	Passed 2nd & 3rd Reading
H1670 Newton Force Account.	H	Ratified
06-03-04		
H1678 Norwood Annexations.	S	Passed 2nd Reading

H1684 Vance Fox Seasons.	S	Reptd Fav
H1687 Cabarrus Board of Equalization and Review.	H	Passed 2nd & 3rd Reading
06-10-04		
H1722 Currituck ABC Board Membership Increased.	S	Reptd Fav
H1724 Harnett and Pitt Subdivisions.	S	Reptd Fav
06-17-04		
H1726 Winston-Salem/Roanoke Rapids Code Enforcement.	H	Passed 2nd & 3rd Reading
06-24-04		
H1728 Lake Royale Police Authority.	H	Passed 2nd & 3rd Reading
06-24-04		
H1730 Holden Beach Sewer Treatment Fee.	H	Passed 3rd Reading
	S	Rec From House
	S	Ref To Com On Finance
H1732 Southport Ward Boundaries.	S	Reptd Fav
H1733 Southport Utility Undergrounding.	H	Passed 3rd Reading
	S	Rec From House
	S	Ref To Com On Finance
06-23-04		
H1734 Ocean Isle Canal Dredging.	H	Passed 3rd Reading
	S	Rec From House
	S	Ref To Com On Finance
06-23-04		
H1737 Winston-Salem/Reidsville Structures.	H	Postponed To 6/30/2004
06-24-04		
#S1096 Concord/Kannapolis Boundaries Adjusted.	SR	Ch. SL 2004-17
S1122 Chapel Hill School Sites.	S	Ratified
06-02-04		
#S1125 Johnston Coroner Abolished.	SR	Ch. SL 2004-18
S1127 Incorporate Wallburg.	H	Passed 3rd Reading
06-16-04		
#S1133 Misenheimer Municipal Elections.	SR	Ch. SL 2004-19
S1205 Rutherfordton ABC Distributions.	S	Reptd Fav Com Substitute
	SA	Com Substitute Adopted
06-28-04		
S1265 Orange/Chatham Boundary.	S	Reptd Fav
	S	Placed On Cal For 6/28/2004
	S	Passed 2nd Reading
06-24-04		

SUMMARIES OF AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

S 20. REGULATE PROFESSIONAL EMPLOYER ORGANIZATION. Intro. 2/10/03. House committee substitute makes the following changes to 2nd edition. (1) Adds provisions making clear that the provisions of the new law apply to each entity subject to licensure under the law whether the entity has actually become licensed or not. (2) Adds new GS 58-89-31 providing that for purposes of determining tax credits and other economic incentives provided by the state based on employment, employees who are the subject of a contract are considered employees of the client company (3) Raises the surety bond requirement from $75,000 to $100,000 and specifies that the surety bond is to be kept in effect while the license is in effect or any obligations or liabilities of the licensee remain outstanding. (4) In several instances in which attestations are required regarding financial statements, the 2nd edition required the attestations by the chief financial officer, chief executive officer, and controlling person; this committee substitute deletes the requirement of the attestation by the controlling person. (5) Deletes from the bill's proposed GS 58-89-165 a provision granting to any person damaged by acts in violation

of the licensing law the right to bring a civil action against the person committing the violation. (6) Changes provision with respect to licensure of entities already engaged in professional employer services in the state, so that they may continue to operate pending approving of their application so long as the application is filed by April 1, 2005. (7) Changes effective date from Jan. 1, 2004, to Jan. 1, 2005.

S 1118. SPECIAL LICENSE PLATES. Intro. 5/17/04. House committee substitute makes the following changes to 2nd edition. (1) Adds to the list of new special registration plates authorized by GS 20-79.4(b) plates for Commercial Fishing, Daughters of the American Revolution, El Pueblo, HOMES4NC, and Sport Fishing. (2) Provides that the money derived from the HOMES4NC plates is to be transferred to the NCAR Housing Opportunity Foundation; from the El Pueblo plates to El Pueblo, Inc. for its scholarship fund for Latino college students; and from the DAR plates to a trust fund to carry out the purposes of the DAR, including historical preservation. (3) Changes the destination of transfer of money from the First in Forestry plates so that half will go to the Division of Forest Resources for a state forests and forestry education program and half to the Forest Education and Conservation Foundation for its programs.

S 1145. REVENUE LAWS TECHNICAL CHANGES. Intro. 5/18/04. House committee substitute makes the following changes to 2nd edition. Amends GS 105-114.1(b) to provide that if a corporation or an affiliated group of corporations owns 70% or more of the capital interests in a limited liability company, the corporation or affiliated group must include in its three tax bases the same percentage of (i) the limited liability company's capital stock, surplus, and undivided profits; (ii) 55% of the limited liability company's appraised ad valorem tax value of property; and (iii) the limited liability company's actual investment in tangible property in this state, as appropriate. Effective Jan. 1, 2004, amends GS 105-129.8 to provide that credit for creating jobs applies only to new positions, as measured by subtracting the highest number of full-time employees that taxpayer had in state anytime in the 12-month period preceding the beginning of the taxable year from the number of full-time positions at the end of the taxable year. Enacts new GS 153A-155(f1) and 160A-215(f1), prohibiting the use of a room occupancy tax for the development or construction of a hotel or other transient lodging facilty. Makes technical changes.

S 1205. RUTHERFORDTON ABC DISTRIBUTIONS (NEW). Intro. 5/20/04. Senate committee substitute makes the following changes to 1st edition. Replaces blank bill with completely new bill amending the Rutherfordton Charter by deleting specific requirements for distribution of ABC profits and replacing them with requirement that distributions be made in accordance with a Town Council resolution.

HOUSE BILLS

H 1415. ALTERNATIVE R&D TAX CREDIT. Intro. 5/12/04. House amendment makes the following changes to 2nd edition. Amends GS 105-129.50(6) to clarify that term "qualified research expenses" refers to expenses other than NC university research expenses. Amends GS 105-129.55(a) to clarify that only one credit is allowed with respect to the same expenses, credit equal to the highest applicable percentage. Makes technical changes.

H 1602. DELAYS $ LIMIT ON CREDIT FOR PARTNERSHIPS (NEW). Intro. 5/20/04. House committee substitute makes the following changes to 1st edition. Replaces existing bill with completely new bill. Amends SL 2001-335, Sec. 3, by extending the expiration date of GS 105-151.12(f) (applying maximum dollar limit for determining amount of the credit for certain real property donations separately to each partner) to Jan. 1, 2007 (was, Jan. 1, 2005).

Correction

H 1303. REDUCE PRIVILEGE AND EXCISE TAXES. Intro. 5/15/03. CORRECTED SUMMARY. Conference report recommends the following changes to 2nd edition to reconcile matters in controversy. This second conference report replaces an earlier version dated 6/16/04. In this conference report, the Senate recedes from amendments 1 and 2, and the House and Senate agree to a Committee Substitute dated 6/23/04. The effect of these most recent changes is, effective July 1, 2004, to enact new GS 105-40(6a) to define a youth athletic contest as one charging an admission fee that does not exceed $10 and in which each participant is less than 20 years old, and new GS 105-40(7a) to exempt all exhibitions, etc. managed by a nonprofit arts organization that is exempt from income tax under GS 105-130.11(a)(3), except athletic events. Effective Aug. 1, 2004, it enacts the substantive provisions regarding discounts and refunds contained in Senate amendment number 2, which was adopted 7/19/03.

LEGISLATION ENACTED

SL 2004-17 (S 1096). CONCORD/KANNAPOLIS BOUNDARIES ADJUSTED. *AN ACT TO ADJUST THE BOUNDARIES BETWEEN THE CITIES OF CONCORD AND KANNAPOLIS AS MUTUALLY AGREED UPON.* Summarized in *Daily Bulletin* 5/17/04. Enacted June 24, 2004. Effective June 30, 2004.

SL 2004-18 (S 1125). JOHNSTON CORONER ABOLISHED. *AN ACT TO ABOLISH THE OFFICE OF CORONER IN JOHNSTON COUNTY.* Summarized in *Daily Bulletin* 5/17/04. Enacted June 24, 2004. Effective June 24, 2004.

SL 2004-19 (S 1133). MISENHEIMER MUNICIPAL ELECTIONS. AN ACT AMENDING THE CHARTER OF THE VILLAGE OF MISENHEIMER TO ALLOW FOR MUNICIPAL ELECTIONS IN ODD-NUMBERED YEARS. Summarized in *Daily Bulletin* 5/18/04. Enacted June 24, 2004. Effective June 24, 2004.

SL 2004-20 (H 1608). GREENSBORO ORDINANCE PUBLICATION. *AN ACT TO AMEND THE GREENSBORO CITY CHARTER SO THE CITY CAN FOLLOW THE GENERAL LAW ON NOTICE OF ADOPTION OF ORDINANCES.* Summarized in *Daily Bulletin* 5/20/04, 6/2/04, and 6/10/04. Enacted June 24, 2004. Effective June 24, 2004.

SL 2004-21 (H 1497). ADOPT FLAT FEE FOR DEBT COLLECTION. *AN ACT TO ADOPT A FLAT COLLECTION ASSISTANCE FEE UNDER THE SETOFF DEBT COLLECTION ACT* Summarized in *Daily Bulletin* 5/18/04 and 5/25/04. Enacted June 25, 2004. Effective for fees assessed on or after January 1, 2005.

SL 2004-22 (H 1448). NOTICE PERIOD FOR SALES AND USE TAX REFUNDS. *AN ACT TO REQUIRE THAT SELLERS BE PROVIDED WITH NOTICE AND A SIXTY-DAY PERIOD TO RESPOND TO A REQUEST FOR A REFUND OF OVER-COLLECTED SALES OR USE TAXES BEFORE A PURCHASER MAY BRING A CAUSE OF ACTION AGAINST THE SELLER.* Summarized in *Daily Bulletin* 5/17/04. Enacted June 25, 2004. Effective June 25, 2004.

SL 2004-23 (H 1366). INVOLUNTARY COMMITMENT WARRANT CLARIFICATION. *AN ACT TO PROVIDE THAT AN ORDER ISSUED BY THE CLERK OF COURT, THE MAGISTRATE, OR THE COURT FOR CUSTODY RELATING TO INVOLUNTARY COMMITMENT IS VALID THROUGHOUT THE STATE.* Summarized in *Daily Bulletin* 5/11/04. Enacted June 25, 2004. Effective June 25, 2004.

SL 2004-24 (H 1574). STATE PARKS SYSTEM ADDITIONS AND STUDY. *AN ACT TO AUTHORIZE THE ADDITION OF THE LOWER HAW RIVER STATE NATURAL AREA TO THE STATE PARKS SYSTEM, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, AND TO DIRECT THE DIVISION OF PARKS AND RECREATION OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO STUDY THE FEASIBILITY AND DESIRABILITY OF ESTABLISHING A STATE RECREATION AREA AT BLEWETT FALLS LAKE.* Summarized in *Daily Bulletin* 5/20/04 and 6/1/04. Enacted June 25, 2004. Effective June 25, 2004.

SL 2004-25 (H 1607). STATE NATURAL AND HISTORIC PRESERVE REMOVALS. *AN ACT TO REMOVE A PORTION OF HEMLOCK BLUFFS STATE NATURAL AREA FROM THE STATE NATURE AND HISTORIC PRESERVE AND THE STATE PARKS SYSTEM TO PROVIDE A RIGHT-OF-WAY FOR THE WIDENING OF KILDAIRE FARM ROAD IN THE TOWN OF CARY, AND TO REMOVE THE HORNE CREEK LIVING HISTORICAL FARM LOCATED WITHIN PILOT MOUNTAIN STATE PARK FROM THE STATE PARKS SYSTEM IN ORDER TO ALLOW THE PROPERTY TO BE REALLOCATED TO THE DEPARTMENT OF CULTURAL RESOURCES FOR USE AS A STATE HISTORIC SITE, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.* Summarized in *Daily Bulletin* 5/20/04 and 6/1/04. Enacted June 25, 2004. Effective June 25, 2004.

SL 2004-26 (H 1373). INCREASE PENALTY—TRANSIT OPERATOR ASSAULT. *AN ACT TO INCREASE THE CLASSIFICATION OF ASSAULTING A PRIVATE CONTRACTOR EMPLOYED AS A PUBLIC TRANSPORTATION OPERATOR FROM A CLASS 2 MISDEMEANOR TO A CLASS A1 MISDEMEANOR.* Summarized in *Daily Bulletin* 5/11/04 and 5/25/04. Enacted June 25, 2004. Effective December 1, 2004.

NEXT SESSIONS

June 29, 2004

HOUSE convenes at 2:00 P.M.

SENATE convenes at 2:00 P.M.

41
5:2004/29

N.C. DOCUMENTS
CLEARINGHOUSE
JUL 0 2 2004
STATE LIBRARY OF NORTH CAROLINA
RALEIGH

Daily Bulletin

ACTIONS BY THE NORTH CAROLINA GENERAL ASSEMBLY

Institute *of* Government—School of Government
The University of North Carolina at Chapel Hill
Legislative Reporting Service, Box 7294 State Legislative Building, Raleigh, NC 27601
Phone 919.733.2484 Fax 919.715.3464

House Legislative Day 133 Vol. 2004, No. 29 Senate Legislative Day 135

Tuesday, June 29, 2004

BILLS INTRODUCED TODAY

BILL #	SHORT TITLE	IDEN	COMMITTEE	GS INDEX
S1443	MEMORIALIZING KATHLEEN BRYAN EDWARDS		RULES	JOINT RES

SUMMARIES OF BILLS INTRODUCED TODAY

SENATE BILLS

S 1443. MEMORIALIZING KATHLEEN BRYAN EDWARDS. *HONORING THE LIFE AND MEMORY OF KATHLEEN BRYAN EDWARDS, ONE OF THE STATE'S MOST PROMINENT CITIZENS.* As title indicates.
Intro. by Dorsett, Hagan.
Ref. to Rules JOINT RES

CALENDAR ACTION
June 29, 2004

NOTES
1. Amendments and committee substitutes adopted today are summarized in the following section of today's Daily Bulletin.
2. The dates on which previous amendments or committee substitutes were adopted are listed below bill numbers.
3. The action "Cal Pursuant Rule 36b" indicates that the bill has been reported by committee and is awaiting calendaring by the Rules Committee.
4. Enacted bills are indicated by #, failed bills by *.

PUBLIC BILLS

H0026 CAMERA DEFEATING LICENSE COVERS ILLEGAL.	H RATIFIED
03-31-03, 04-15-03, 06-16-04	
H0257 UNAUTHORIZED USE OF CB EQUIPMENT.	H PRES. TO GOV. 6/29/2004
04-24-03, 04-29-03, 06-15-04	
H0354 AMEND DISABILITY LAWS	SA CONF REPORT ADOPTED
04-07-03, 07-20-03, 06-24-04, 06-28-04	
H0356 REMOVE SUNSET/MUNICIPAL ELECTRIC SERVICE.	S WITHDRAWN FROM COMM S RE-REF COM ON FINANCE
H0429 MONETARY COMP./OUTDOOR ADVERTISING.	H CONCURRED IN S/COM SUB
04-08-03, 04-09-03, 06-22-04	

This publication is printed on permanent, acid-free paper in compliance with the North Carolina General Statutes
Institute of Government—School of Government
The University of North Carolina at Chapel Hill
© 2004

H0583 WETLANDS REIMBURSEMENT/LOCAL TAX BASE.	H	WITHDRAWN FROM COMM
	H	RE-REF COM ON FINANCE
H0918 INCREASE SERVICE OF PROCESS FEE.	S	PASSED 3RD READING
07-16-03, 06-24-04		
H1152 CLARIFY DISCLOSURE MV TOTAL LOSS CLAIM.	S	WITHDRAWN FROM CAL
	S	PLACED ON CAL FOR 7/6/2004
05-01-03, 06-23-04		
H1303 NONPROFITS EXEMPT FROM ADMISSIONS TAX.	H	RATIFIED
06-23-03, 07-18-03, 07-19-03, 06-17-04, 06-23-04, 06-24-04		
H1344 HIGHWAY TRUST FUND CHANGES.	HA	AMEND ADOPTED #1
	HA	AMEND ADOPTED #2
	H	PASSED 2ND READING
06-24-04, 06-29-04		
H1352 EMERGENCY FUNDING FOR ONE NC & NEIT.	H	WITHDRAWN FROM COMM
	H	PLACED ON CAL FOR 6/29/2004
	H	FAILED CONCUR IN S AMEND
	H	CONF COM APPOINTED
	S	CONF COM APPOINTED
05-19-04, 06-16-04		
H1393 FEDERAL ENFORCEMENT BY MARINE INSPECTORS.	HA	REPTD FAV COM SUBSTITUTE
	H	CAL PURSUANT RULE 36(B)
06-29-04		
H1415 ALTERNATIVE R&D TAX CREDIT.	S	REC FROM HOUSE
	S	REF TO COM ON FINANCE
06-22-04, 06-28-04		
H1427 REC. SHELLFISH LICENSE/AMEND SHELLFISH LAWS.	HA	REPTD FAV COM SUBSTITUTE
	H	CAL PURSUANT RULE 36(B)
06-29-04		
H1430 IRC UPDATE AND OTHER TAX CHANGES.	H	REPTD FAV TO CONCUR
	H	CAL PURSUANT RULE 36(B)
05-27-04, 06-16-04		
H1453 DISCHARGING FIREARM ON SCHOOL PROPERTY.	HA	AMEND ADOPTED #2
	H	PASSED 3RD READING
06-29-04		
H1455 SBE STUDY ALP FUNDING.	H	PRES. TO GOV. 6/29/2004
H1456 SBE STUDY USE OF AT-RISK FUNDS.	H	PRES. TO GOV. 6/29/2004
05-26-04		
H1457 COMMUNITY SOLUTIONS FOR SUSPENDED STUDENTS.	HA	REPTD FAV COM SUBSTITUTE
	H	CAL PURSUANT RULE 36(B)
06-29-04		
H1460 INTERVENTION PLANS FOR SUSPENDED STUDENTS.	HA	REPTD FAV COM SUBSTITUTE
	H	CAL PURSUANT RULE 36(B)
06-29-04		
H1463 HEALTH INSURANCE INNOVATIONS COMMISSION.	H	CONCURRED IN S/COM SUB
	H	CAL PURSUANT RULE 36(B)
06-09-04, 06-10-04, 06-23-04, 06-28-04		
H1540 ENABLING RESOL./UNC REPORT OUT-OF-STATE ENROLL.	H	PASSED 2ND & 3RD READING
06-23-04		
H1555 TAG AGENTS TITLE TRANSACTION FEE.	S	PASSED 3RD READING
06-09-04, 06-17-04		
H1565 STATE BUDGET ACT.	H	PASSED 2ND & 3RD READING
06-23-04		
H1609 CORRECT STREAMLINED SALES TAX INEQUITY.	H	PASSED 3RD READING
	S	REC FROM HOUSE
	S	REF TO COM ON FINANCE
06-22-04		

H1636 RENEWABLE ENERGY TAX CREDITS. 06-29-04	HA REPTD FAV COM SUBSTITUTE H CAL PURSUANT RULE 36(B)
H1665 VENUE FOR JUVENILE HEARINGS. 06-29-04	HA REPTD FAV COM SUBSTITUTE H CAL PURSUANT RULE 36(B)
H1699 UNC NONAPPROPRIATED CAPITAL PROJECTS.	H PASSED 2ND READING
H1723 CHARTER SCHOOL RETIREMENT ELECTION. 06-23-04	H PASSED 2ND & 3RD READING
H1760 NO CREDIT FOR NET JOB LOSS. 06-29-04	HA REPTD FAV COM SUBSTITUTE H CAL PURSUANT RULE 36(B)
H1786 COACHING SCHOLARSHIP FUND. 06-29-04	HA REPTD FAV COM SUBSTITUTE H RE-REF COM ON RULES, CALENDAR, AND OPERATIONS OF THE HOUSE
H1795 MODIFY YOUTH FACILITY DEBT AUTHORIZATION. 06-23-04	H PASSED 2ND READING
S0006 BAN VIDEO POKER/ALL BUT RESERVATIONS. 04-17-03	H WITHDRAWN FROM COMM H RE-REF COM ON FINANCE
S0051 AMEND FRANCHISE TAX LOOPHOLE. 07-10-03, 06-15-04, 06-16-04	S PRES. TO GOV. 6/29/2004
S0277 EXEMPT HIGHER ED. PROPERTY. 05-15-03, 05-20-03	H REPTD FAV H CAL PURSUANT RULE 36(B)
S0732 UNDERGROUND STORAGE TANK PRGM. AMENDS 2003. 06-29-04	HA REPTD FAV COM SUBSTITUTE H CAL PURSUANT RULE 36(B)
S0859 RIVER BASINS ADVISORY COMMISSIONS 06-12-03, 06-15-04, 06-23-04	S CONCURRED IN H/COM SUB
S1063 ELIMINATE IRB WAGE STANDARD. 06-09-04, 06-21-04	S FAILED CONCUR IN COM SUB
S1161 MILITARY PLANNING NOTICES. 06-09-04, 06-16-04	S PRES. TO GOV. 6/29/2004
S1167 CONDO AND PLANNED COMM. CLARIFICATIONS. 06-22-04	H PASSED 2ND & 3RD READING
S1202 SEPTIC SYSTEM SETBACKS FOR PRE-1977 LOTS. 06-29-04	HA REPTD FAV COM SUBSTITUTE H CAL PURSUANT RULE 36(B)
S1210 PHASE II STORMWATER MANAGEMENT-1. 06-29-04	S REPTD FAV COM SUBSTITUTE SA COM SUBSTITUTE ADOPTED
S1408 HON. GENERAL RUTHERFORD/RUTHERFORD COUNTY ANNIV.	S PASSED 2ND & 3RD READING
S1414 MEDICAL BOARD FEES.	H REPTD FAV H RE-REF COM ON RULES, CALENDAR, AND OPERATIONS OF THE HOUSE
S1441 MEMORIALIZING RAY CHARLES.	S PASSED 2ND & 3RD READING

LOCAL BILLS

H0224 CABARRUS ANNEXATION. 07-17-03, 07-19-03, 06-21-04, 06-24-04	H CONCURRED ON 2ND READING

H1363 LAKE TOXAWAY MOTOR VEHICLE REGULATION.	H	RATIFIED
06-17-04		
#H1364 TRANSYLVANIA LAND ACQUISITION/ CONVEYANCE.	HR	CH. SL 2004-28
H1369 EMERALD ISLE/MIDLAND ANNEXATION.	S	PASSED 3RD READING
	H	REC TO CONCUR S COM SUB
	H	COM SUB RULED MATERIAL
	H	CAL PURSUANT RULE 36(B)
06-24-04		
H1385 VARIOUS MUNICIPALITIES SATELLITE ANNEXATION.	S	PASSED 3RD READING
	H	REC TO CONCUR S COM SUB
	H	COM SUB RULED MATERIAL
	H	CAL PURSUANT RULE 36(B)
06-03-04, 06-24-04		
#H1425 MORGANTON/BURKE/BROUGHTON MUTUAL AID/ WPCC	HR	CH. SL 2004-29
05-27-04		
#H1447 GREENVILLE/HENDERSON-ABANDONED JUNK VEHICLES.	HR	CH. SL 2004-30
05-24-04, 06-15-04		
#H1471 BAKERSVILLE DEANNEXATION.	HR	CH. SL 2004-31
H1475 BADIN SATELLITE ANNEXATION.	S	PASSED 3RD READING
H1484 CLEVELAND COUNTY BOARD OF EDUCATION ELECTIONS.	S	PASSED 2ND & 3RD READING
H1543 ASHEVILLE ABC BOARD MEMBERSHIP INCREASED.	H	RATIFIED
05-27-04, 06-17-04		
#H1553 GRIMESLAND BOUNDARY RESTATEMENT.	HR	CH. SL 2004-32
#H1569 COLUMBUS COUNTY SERVICE FEES.	HR	CH. SL 2004-33
06-16-04		
H1593 SWANSBORO ANNEXATION.	S	PASSED 3RD READING
#H1619 ELIZABETHTOWN CHARTER AMENDMENTS.	HR	CH. SL 2004-34
06-03-04		
H1649 WAKE IMPAIRED HUNTING REGULATION.	S	REC FROM HOUSE
	S	REF TO COM ON STATE GOVERNMENT, LOCAL GOVERNMENT, AND VETERANS' AFFAIRS
06-24-04		
H1668 AMEND WILSON SUPPLEMENTAL RETIREMENT FUND.	S	REC FROM HOUSE
	S	REF TO COM ON PENSIONS & RETIREMENT AND AGING
H1669 CLINTON CITY SCHOOLS PROPERTY TRANSFER.	S	REC FROM HOUSE
	S	REF TO COM ON STATE GOVERNMENT, LOCAL GOVERNMENT, AND VETERANS' AFFAIRS
#H1670 NEWTON FORCE ACCOUNT.	HR	CH. SL 2004-35
06-03-04		
H1671 MOORESVILLE STREETS AND SIDEWALKS.	S	REPTD FAV
H1678 NORWOOD ANNEXATIONS.	S	PASSED 3RD READING
H1684 VANCE FOX SEASONS.	S	PASSED 2ND & 3RD READING
H1687 CABARRUS BOARD OF EQUALIZATION AND REVIEW.	S	REC FROM HOUSE
	S	REF TO COM ON STATE GOVERNMENT, LOCAL GOVERNMENT, AND VETERANS' AFFAIRS
06-10-04		
H1722 CURRITUCK ABC BOARD MEMBERSHIP INCREASED.	S	PASSED 2ND & 3RD READING
H1724 HARNETT AND PITT SUBDIVISIONS.	S	PASSED 2ND & 3RD READING
06-17-04		

H1726	WINSTON-SALEM/ROANOKE RAPIDS CODE ENFORCEMENT.	S REC FROM HOUSE S REF TO COM ON STATE GOVERNMENT, LOCAL GOVERNMENT, AND VETERANS' AFFAIRS
	06-24-04	
H1728	LAKE ROYALE POLICE AUTHORITY.	S REC FROM HOUSE S REF TO COM ON STATE GOVERNMENT, LOCAL GOVERNMENT, AND VETERANS' AFFAIRS
	06-24-04	
H1732	SOUTHPORT WARD BOUNDARIES.	S PASSED 2ND & 3RD READING
#S1122	CHAPEL HILL SCHOOL SITES.	SR CH. SL 2004-27
	06-02-04	
S1127	INCORPORATE WALLBURG.	S RATIFIED
	06-16-04	
S1205	RUTHERFORDTON ABC DISTRIBUTIONS.	S PASSED 2ND & 3RD READING
	06-28-04	
S1265	ORANGE/CHATHAM BOUNDARY.	S PASSED 3RD READING
	06-24-04	
S1315	CABARRUS BOARD OF EQUALIZATION AND REVIEW.	H WITHDRAWN FROM COMM H RE-REF COM ON FINANCE

SUMMARIES OF AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

S 732. NEW URBAN WATERFRONT DEVELOPMENT PILOT (NEW). Intro. 4/3/03. House committee substitute makes the following changes to 1st edition. Completely rewrites bill so it now authorizes the Coastal Resources Comm'n to implement a pilot program under which a single "new urban waterfront area" may be designated for one county in state (the county must have a population density of not more than 150 people per square mile and must not border the ocean). The pilot area must be outside the limits of any municipality. Bill sets limits on drainage patterns permissible for waterway and sets standards to govern developers who may submit applications for a major development permit for development in the pilot area. Directs the Commission to report on the costs and benefits of the pilot area to the Environmental Review Comm'n annually. All portions of the act other than the reporting requirements expire July 1, 2010.

S 1202. SEPTIC SYSTEM SETBACKS FOR PRE-1977 LOTS. Intro. 5/20/04. House committee substitute makes the following changes to 1st edition. Completely rewrites bill so it now provides that a subsurface wastewater disposal system is to be located the maximum feasible horizontal distance, but not less than 10 feet, from any other such system, when certain conditions are met, including (1) the lot on which the system will be located is specifically described in a deed or other title instrument or on a plat recorded before 1 July 1977, (2) the lot is not large enough to allow the minimum horizontal distance normally required, (3) the system will receive sewage from only one residence of not more than four bedrooms, (4) the residence cannot be served by a public or community wastewater treatment system, and (5) the system will be installed in sand or loamy sand soil. Provides that the Comm'n for Health Services may adopt rules to incorporate these provisions, and, if it does, this act expires when the permanent rules become effective.

S 1210. PHASE II STORMWATER MANAGEMENT-1. Intro. 5/20/04. Senate committee substitute makes the following changes to 1st edition. Changes title to *TO PROVIDE FOR THE TEMPORARY IMPLEMENTATION OF FEDERAL PHASE II STORMWATER MANAGEMENT REQUIREMENTS BY PROVIDING: (1) THAT LOCAL GOVERNMENT APPLICATIONS FOR PHASE II STORMWATER PERMITS THAT WERE SUBMITTED IN ACCORDANCE WITH THE TEMPORARY STORMWATER RULE WILL BE DEEMED TIMELY RECEIVED; (2) STANDARDS FOR THE EVALUATION OF APPLICATIONS FOR PHASE II STORMWATER PERMITS; (3) AN EXEMPTION FROM PHASE II STORMWATER PERMIT REQUIREMENTS FOR CERTAIN SMALL MUNICIPALITIES; (4) THAT NEW DEVELOPMENT AND REDEVELOPMENT LOCATED IN A REGULATED*

COVERAGE AREA MUST COMPLY WITH THE STORMWATER MANAGEMENT RULE; (5) THAT THE ENVIRONMENTAL MANAGEMENT COMMISSION WILL ADMINISTER AND ENFORCE THE STORMWATER MANAGEMENT RULE IN A REGULATED COVERAGE AREA UNLESS A COUNTY VOLUNTARILY UNDERTAKES TO IMPLEMENT A LOCAL STORMWATER MANAGEMENT PROGRAM; (6) FOR THE COORDINATION OF PHASE II STORMWATER MANAGEMENT PROGRAMS AND OTHER EXISTING STATE PROGRAMS THAT REGULATE STORMWATER IN ORDER TO AVOID CONFLICTING, DUPLICATIVE, OR INCONSISTENT STORMWATER MANAGEMENT REQUIREMENTS; (7) THAT A LOCAL GOVERNMENT MAY OPT TO BE COVERED UNDER A GENERAL STORMWATER PERMIT DEVELOPED BY THE ENVIRONMENTAL MANAGEMENT COMMISSION; (8) DEADLINES FOR WHEN THE ENVIRONMENTAL MANAGEMENT COMMISSION MUST MAKE CERTAIN PHASE II STORMWATER PERMITTING DECISIONS; (9) DESIGNATION AND PETITION PROCESSES BY WHICH ADDITIONAL LOCAL GOVERNMENTS AND OTHER ENTITIES MAY BE REQUIRED TO OBTAIN A PHASE II STORMWATER PERMIT; (10) FOR THE DEVELOPMENT OF A STORMWATER MODEL ORDINANCE AND STORMWATER DESIGN MANUAL; (11) FOR THE ROLES OF STATE AND LOCAL GOVERNMENTS IN REGULATING THE STORMWATER IMPACTS OF FEDERAL AND STATE PROJECTS; (12) DEFINITIONS OF TERMS TO BE USED IN THE IMPLEMENTATION OF THIS ACT; (13) THAT CERTAIN AGRICULTURE AND FORESTRY ACTIVITIES ARE EXEMPT FROM PHASE II STORMWATER PERMIT REQUIREMENTS; AND (14) HOW THE ACT SHALL BE CONSTRUED, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION. As title indicates.

HOUSE BILLS

H 1344. HIGHWAY TRUST FUND CHANGES. Intro. 5/10/04. House amendments make the following changes to 2nd edition. (1) Add a provision to GS 136-178 specifying that before DOT encumbers or spends funds on any projects listed in that section (which under the bill's provisions are to be funded only when funds cannot be spent for projects under GS 136-179), it is to report to the legislators representing the counties in which the –179 project is located on the status of the project, the projected date of the project, and the reason for delay in the project. (2) Adds to the GS 136–179 list a new route from US 158 to NC 12 including a new toll bridge over the Currituck sound in Currituck County.

H 1393. FEDERAL ENFORCEMENT BY MARINE INSPECTORS. Intro. 5/12/04. House committee substitute makes the following changes to 1st edition. Provides that if Div'n of Marine Fisheries enters into a Jt. Enforcement Agreement with the National Marine Fisheries Service, Div'n shall report to the General Assembly on the provisions of the agreement within six months of Agreement and report on the implementation of Agreement no later than Nov. 1 of each year.

H 1427. REC. SHELLFISH LICENSE/AMEND SHELLFISH LAWS. Intro. 5/13/04. House committee substitute makes stylistic changes to 1st edition.

H 1453. DISCHARGING FIREARM ON SCHOOL PROPERTY. Intro. 5/17/04. House amendment makes the following changes to 1st edition. Amends GS 14-269.2(b) to provide that willfully discharging firearm on educational property is a Class F felony. Deletes provision making it a Class F felony to discharge a firearm at school-sponsored activities that are not on educational property. Changes effective date to Dec. 1, 2004.

H 1457. COMMUNITY SOLUTIONS FOR SUSPENDED STUDENTS. Intro. 5/17/04. House committee substitute makes the following changes to 1st edition. (1) Modifies the bill's new GS 115C-391(i) to specify that at the time that a student is suspended for more than 10 days, the student is to be provided an opportunity to be placed in an alternative school or alternative learning program provided by the school system, unless such an alternative setting is not an appropriate setting, in which case the school system is to facilitate the delivery of services to the student in an alternative setting outside the school system, (2) makes a corresponding change in bill's new GS 115C-47(44), and (3) amends GS 143B-544(a) to add as a member of a county Juvenile Crime Prevention Council the principal or director of an alternative school or alternative learning program, if one is located in the county.

H 1460. INTERVENTION PLANS FOR SUSPENDED STUDENTS. Intro. 5/17/04. House committee substitute makes the following changes to 1st edition. Amends GS Ch. 115c, Art. 27B, to delete provision that included students who accumulate five unexcused absences during school year in definition of "suspended student." Further amends act to delete requirement that intervention plan include signature of student's parent or guardian

and adds requirement that plan include a list of community or school-based educational services available to student and a plan for completing missed schoolwork. Enacts new GS 115C-397.12 providing that act does not require school to promote or give credit to student who does not meet requirements for promotion or credit. Makes technical changes.

H 1463. HEALTH INSURANCE INNOVATIONS COMMISSION. Intro. 5/17/04. Senate amendment adopted 6/28/04 makes the following changes to 3rd edition. Increases size of NC Health Insurance Innovations Comm'n to 28 (was, 26), adding two members of the Health and Wellness Trust Fund Comm'n. Makes technical changes.

H 1636. RENEWABLE FUEL TAX CREDITS (NEW). Intro. 5/24/04. House committee substitute makes the following changes to 1st edition. Amends GS 105-129.15(8) to incorporate biodiesel definition in GS 104-449.60 and to delete reference to methanol. Deletes GS 105-129.16D(a). Amends GS 105-129.16D to provide that in order to qualify for dispensing credit, facility must label equipment that is associated with renewable fuel, and to establish method of receiving credit. GS 105-129.16D repealed effective Jan. 1, 2010.

H 1665. VENUE FOR JUVENILE HEARINGS. Intro. 5/26/04. House committee substitute makes the following changes to 1st edition. Amends GS 7B-1800(a) to provide that a dispositional hearing may be held in district other than where juvenile is in residential treatment or foster care if judge finds that transfer would serve the ends of justice or would be in the best interests of the juvenile. Deletes sec. 2 (plan for juveniles in care outside counties of residence) and sec. 3 (appropriating funds for plan). Changes effective date to Oct. 1, 2004 (was, July 1, 2004).

H 1760. CLAWBACK FAILED INCENTIVES (NEW). Intro. 5/31/04. House committee substitute makes the following changes to 1st edition. Completely rewrites bill so it now (1) adds new GS 143B-435.1 defining "clawback" as a requirement that all or part of an economic development incentive will be returned if the recipient business does not fulfill its responsibilities under the incentive law or contract and requiring that the Dep't of Commerce regularly catalog and publish all clawbacks in effect in the state and all instances of clawbacks having been triggered and the progress on obtaining repayment. (2) amends GS 105-129.6(b) (concerning reports by the Dep't of Revenue regarding certain tax credits) to require reporting of the number and amounts of tax credits forfeited; and (3) adds new GS 143B-435.2 providing that for a business to be eligible for a direct economic development grant or loan for purposes of job creation or from the One North Carolina Industrial Recruitment Competitive Fund, the business must have agreed to use the State Employment Security Commission as a first source for recruitment and referral of applicants for employment associated with the grant or loan. Provides exceptions for emergencies and in enterprise tiers one and two and in areas of especially severe economic distress. Effective July 1, 2004.

H 1786. COACHING SCHOLARSHIP FUND. Intro. 5/31/04. House committee substitute makes the following changes to 1st edition. Completely rewrites bill so it now directs the Legislative Research Commission to study the feasibility of creating a Coaching Scholarship Fund to help qualified coaches and assistant coaches in the public schools. Sets out factors to be considered, including the relationship between athletics and educational performance and the extent of the shortage of qualified coaches in the public schools. Requires report and any recommended legislation to the 2005 General Assembly.

LEGISLATION ENACTED

SL 2004-27 (S 1122). CHAPEL HILL SCHOOL SITES. *AN ACT TO AUTHORIZE THE TOWN OF CHAPEL HILL TO POSTPONE FOR EIGHTEEN MONTHS THE APPROVAL OF SPECIAL USE PERMITS AND SITE PLANS PROPOSED ON SITES RESERVED AS SCHOOL SITES ON THE TOWN'S ADOPTED COMPREHENSIVE LAND-USE PLAN.* Summarized in *Daily Bulletin* 5/17/04 and 6/2/04. Enacted June 29, 2004. Effective June 29, 2004.

SL 2004-28 (H 1364). TRANSYLVANIA LAND ACQUISITION/CONVEYANCE. *AN ACT TO PROVIDE THAT TRANSYLVANIA COUNTY MAY PURCHASE AND CONVEY PROPERTY TO THE STATE FOR USE AS CORRECTIONAL FACILITIES.* Summarized in *Daily Bulletin* 5/11/04. Enacted June 29, 2004. Effective June 29, 2004.

SL 2004-29 (H 1425). MORGANTON/BURKE/BROUGHTON MUTUAL AID/WPCC. *AN ACT TO ALLOW THE BROUGHTON POLICE DEPARTMENT TO ENTER INTO MUTUAL AID AGREEMENTS WITH THE CITY*

OF MORGANTON POLICE DEPARTMENT AND THE BURKE COUNTY SHERIFF'S OFFICE, AND TO ALLOW THE BROUGHTON POLICE DEPARTMENT TO EXERCISE ITS POWERS AT WESTERN PIEDMONT COMMUNITY COLLEGE. Summarized in *Daily Bulletin* 5/13/04 and 5/27/04. Enacted June 29, 2004. Effective June 29, 2004.

SL 2004-30 (H 1447). GREENVILLE/HENDERSON—ABANDONED JUNK VEHICLES. *AN ACT AFFECTING THE REGULATION OF ABANDONED OR JUNKED MOTOR VEHICLES IN THE CITIES OF GREENVILLE AND HENDERSON AND THE TOWN OF WAYNESVILLE.* Summarized in *Daily Bulletin* 5/13/04, 5/24/04, and 6/16/04. Enacted June 29, 2004. Effective June 29, 2004.

SL 2004-31 (H 1471). BAKERSVILLE DEANNEXATION. *AN ACT TO DEANNEX TWO DESCRIBED PARCELS FROM THE CORPORATE LIMITS OF THE TOWN OF BAKERSVILLE.* Summarized in *Daily Bulletin* 5/17/04. Enacted June 29, 2004. Effective June 30, 2004.

SL 2004-32 (H 1553). GRIMESLAND BOUNDARY RESTATEMENT. *AN ACT TO RATIFY THE BOUNDARIES OF THE TOWN OF GRIMESLAND BASED ON A NEW SURVEY ALONG THE EXISTING COMMONLY RECOGNIZED BOUNDARY.* Summarized in *Daily Bulletin* 5/20/04. Enacted June 29, 2004. Effective June 29, 2004.

SL 2004-33 (H 1569). COLUMBUS COUNTY SERVICE FEES. *AN ACT REPEALING THE AUTHORITY OF COLUMBUS COUNTY TO ATTACH PERSONAL PROPERTY, GARNISH WAGES, AND PLACE LIENS ON CERTAIN REAL PROPERTY TO COLLECT UNPAID FEES FOR WATER AND SEWER SERVICES.* Summarized in *Daily Bulletin* 5/20/04 and 6/17/04. Enacted June 29, 2004. Effective June 29, 2004.

SL 2004-34 (H 1619). ELIZABETHTOWN CHARTER AMENDMENTS. *AN ACT TO AMEND THE CHARTER OF THE TOWN OF ELIZABETHTOWN.* Summarized in *Daily Bulletin* 5/24/04 and 6/3/04. Enacted June 29, 2004. Effective June 29, 2004.

SL 2004-35 (H 1670). NEWTON FORCE ACCOUNT. *AN ACT TO INCREASE THE FORCE ACCOUNT LIMIT FOR THE CITY OF NEWTON AND CATAWBA COUNTY AS TO A PARK.* Summarized in *Daily Bulletin* 5/26/04 and 6/3/04. Enacted June 29, 2004. Effective June 29, 2004.

NEXT SESSIONS

June 30, 2004

HOUSE convenes at 3:00 p.m.

SENATE convenes at 2:00 p.m.

2004/30

N.C. DOCUMENTS CLEARINGHOUSE

STATE LIBRARY OF NORTH CAROLINA

Daily Bulletin

ACTIONS BY THE NORTH CAROLINA GENERAL ASSEMBLY

Institute *of* Government—School of Government
The University of North Carolina at Chapel Hill
Legislative Reporting Service, Box 7294 State Legislative Building, Raleigh, NC 27601
Phone 919.733.2484 Fax 919.715.3464

House Legislative Day 134 Vol. 2004, No. 30 Senate Legislative Day 136

Wednesday, June 30, 2004

BILLS INTRODUCED TODAY

BILL #	SHORT TITLE	IDEN	COMMITTEE	GS INDEX
H 1807	HONORING FOUNDERS OF DUKE POWER		RULES	JOINT RES

SUMMARIES OF BILLS INTRODUCED TODAY

HOUSE BILLS

H 1807. HONORING FOUNDERS OF DUKE POWER. *HONORING THE FOUNDERS OF DUKE POWER ON THE COMPANY'S 100TH ANNIVERSARY.* As title indicates.
Intro. by Saunders, Black, Morgan, Brubaker.
Ref. to Rules JOINT RES

CALENDAR ACTION
June 30, 2004

NOTES
1. Amendments and committee substitutes adopted today are summarized in the following section of today's Daily Bulletin.
2. The dates on which previous amendments or committee substitutes were adopted are listed below bill numbers.
3. The action "Cal Pursuant Rule 36b" indicates that the bill has been reported by committee and is awaiting calendaring by the Rules Committee.
4. Enacted bills are indicated by #, failed bills by *.

PUBLIC BILLS

H0026 CAMERA DEFEATING LICENSE COVERS ILLEGAL.	H	PRES. TO GOV. 6/30/2004
03-31-03, 04-15-03, 06-16-04		
H0354 AMEND DISABILITY LAWS	H	RATIFIED
04-07-03, 07-20-03, 06-24-04, 06-28-04		
H0429 MONETARY COMP./OUTDOOR ADVERTISING.	H	RATIFIED
04-08-03, 04-09-03, 06-22-04		
H0918 INCREASE SERVICE OF PROCESS FEE.	H	REC TO CONCUR IN S AMEND
	H	CAL PURSUANT RULE 36(B)
	H	PLACED ON CAL FOR 7/1/2004
07-16-03, 06-24-04		

This publication is printed on permanent, acid-free paper in compliance with the North Carolina General Statutes.
Institute of Government—School of Government
The University of North Carolina at Chapel Hill
© 2004

H0965 FAILURE TO YIELD CAUSING DEATH OR INJURIES.	S REPTD FAV COM SUBSTITUTE SA COM SUBSTITUTE ADOPTED
04-29-03, 04-30-03, 06-30-04	
H1218 JUDICIAL BRANCH BUDGET REFORM.	HA REPTD FAV COM SUBSTITUTE H CAL PURSUANT RULE 36(B)
06-30-04	
H1303 NONPROFITS EXEMPT FROM ADMISSIONS TAX.	H PRES. TO GOV. 6/30/2004
06-23-03, 07-18-03, 07-19-03, 06-17-04, 06-23-04, 06-24-04	
H1344 HIGHWAY TRUST FUND CHANGES.	H PASSED 3RD READING
06-24-04, 06-29-04	
H1352 EMERGENCY FUNDING FOR ONE NC & NEIT.	S CONF COM REPORTED S PLACED ON CAL FOR 6/30/2004 SA CONF REPORT ADOPTED H CONF COM REPORTED H PLACED ON CAL FOR 6/30/2004 HA CONF REPORT ADOPTED H RATIFIED
05-19-04, 06-16-04, 06-30-04	
H1359 DOT MINORITY/WOMEN BUSINESSES PROGRAM.	HA REPTD FAV COM SUBSTITUTE H CAL PURSUANT RULE 36(B)
06-30-04	
H1393 FEDERAL ENFORCEMENT BY MARINE INSPECTORS.	H PASSED 2ND READING
06-29-04	
H1394 8-YEAR DRIVERS LICENSE/INTERNET DL RENEWAL.	HA REPTD FAV COM SUBSTITUTE H CAL PURSUANT RULE 36(B)
06-30-04	
H1430 IRC UPDATE AND OTHER TAX CHANGES.	H PLACED ON CAL FOR 7/1/2004
05-27-04, 06-16-04	
H1449 APA TECHNICAL/CLARIFYING CHANGES.	S REPTD FAV COM SUBSTITUTE SA COM SUBSTITUTE ADOPTED
06-15-04, 06-30-04	
H1453 DISCHARGING FIREARM ON SCHOOL PROPERTY.	S REC FROM HOUSE S REF TO COM ON JUDICIARY II
06-29-04	
H1469 DHHS DISEASE MGMT ACTIVITIES.	S REPTD FAV
06-17-04	
H1478 RETIREMENT/TEACHER EXCHANGE PROGRAMS.	S REPTD FAV S PLACED ON CAL FOR 6/30/2004 S PASSED 2ND & 3RD READING
H1518 REQUIRE PAYMENT OF RESTITUTION FOR EXPUNCTION.	S REPTD FAV COM SUBSTITUTE SA COM SUBSTITUTE ADOPTED
06-30-04	
H1555 TAG AGENTS TITLE TRANSACTION FEE.	H RATIFIED
06-09-04, 06-17-04	
H1636 RENEWABLE FUEL TAX CREDITS.	H PASSED 2ND & 3RD READING
06-29-04	
H1665 VENUE FOR JUVENILE HEARINGS.	H PLACED ON CAL FOR 7/1/2004
06-29-04	
H1699 UNC NONAPPROPRIATED CAPITAL PROJECTS.	H PASSED 3RD READING S REC FROM HOUSE S REF TO COM ON FINANCE
H1760 CLAWBACK FAILED INCENTIVES.	H PASSED 2ND READING H AMEND FAILED #1 H PASSED 3RD READING
06-29-04	

H1795 MODIFY YOUTH FACILITY DEBT AUTHORIZATION.	H PASSED 3RD READING S REC FROM HOUSE S REF TO COM ON FINANCE
06-23-04	
H1807 HONORING FOUNDERS OF DUKE POWER.	H PLACED ON CAL FOR 7/1/2004
S0006 INCREASE REGULATION OF AMUSEMENT DEVICES.	HA REPTD FAV COM SUBSTITUTE H CAL PURSUANT RULE 36(B) H WITHDRAWN FROM CAL H RE-REF COM ON APPROPRIATIONS
04-17-03, 06-30-04	
S0470 COMPENSATION OF TRUSTEES/OTHER FIDUCIARIES.	HA REPTD FAV COM SUBSTITUTE H CAL PURSUANT RULE 36(B)
04-14-03, 06-30-04	
S0582 PUBLIC HEALTH PREPAREDNESS AND RESPONSE	S CONCURRED IN H/COM SUB
04-30-03, 06-02-04	
S0754 STOCK CAR RACING THEME SPECIAL PLATES.	H REPTD FAV H CAL PURSUANT RULE 36(B)
06-17-04	
S0859 RIVER BASINS ADVISORY COMMISSIONS	S RATIFIED
06-12-03, 06-15-04, 06-23-04	
S1043 AGGREGATE TRUCK WEIGHT LIMITS.	HA REPTD FAV COM SUBSTITUTE H CAL PURSUANT RULE 36(B)
06-24-04, 06-30-04	
S1078 VEHICLE CONTROL SIGNS AND SIGNALS.	H REPTD FAV H CAL PURSUANT RULE 36(B)
06-07-04	
S1083 STAGGERED PLATES/SAFETY INSPECTION CHANGE.	HA REPTD FAV COM SUBSTITUTE H RE-REF COM ON FINANCE
06-30-04	
S1086 PUBLIC TRANSIT DECELERATION LAMPS.	H PASSED 2ND & 3RD READING
06-07-04	
S1092 VA-NC INTERSTATE HIGH-SPEED RAIL COMPACT.	H PLACED ON CAL FOR 7/1/2004
S1167 CONDO AND PLANNED COMM. CLARIFICATIONS.	S REC TO CONCUR H COM SUB S PLACED ON CAL FOR 7/1/2004
06-22-04	
S1171 MOTOR FUELS TAX CHANGES.	HA REPTD FAV COM SUBSTITUTE H CAL PURSUANT RULE 36(B)
06-09-04, 06-16-04, 06-30-04	
S1210 PHASE II STORMWATER MANAGEMENT-1.	SA AMEND ADOPTED # 1 S AMENDMENT WITHDRAWN # 2 S PASSED 2ND READING S ENGROSSED S WITHDRAWN FROM CAL S PLACED ON CAL FOR 6/30/2004 S PASSED 3RD READING
06-29-04, 06-30-04	
S1218 CHILD RESTRAINT SYSTEMS MODIFIED.	HA REPTD FAV COM SUBSTITUTE H CAL PURSUANT RULE 36(B)
06-23-04, 06-30-04	
S1317 BD. OF LAW EXAMINERS/FEES/ATTY. SOLICITATION.	S REPTD FAV COM SUBSTITUTE SA COM SUBSTITUTE ADOPTED S RE-REF COM ON FINANCE
06-30-04	
S1408 HON. GENERAL RUTHERFORD/RUTHERFORD COUNTY ANNIV.	H REC FROM SENATE H PLACED ON CAL FOR 7/1/2004
S1441 MEMORIALIZING RAY CHARLES.	H REC FROM SENATE H PLACED ON CAL FOR 7/1/2004

S1443 MEMORIALIZING KATHLEEN BRYAN EDWARDS.	S	PASSED 2ND & 3RD READING
	H	REC FROM SENATE
	H	CAL FOR IMMEDIATE CONSID
	H	PASSED 2ND & 3RD READING

LOCAL BILLS

H0224 CABARRUS ANNEXATION.	H	RATIFIED
	H	CONCURRED ON 3RD READING
07-17-03, 07-19-03, 06-21-04, 06-24-04		
H1348 CAMDEN COUNTY OCCUPANCY TAX.	H	REPTD FAV
	H	CAL PURSUANT RULE 36(B)
H1349 COLUMBUS/PITT FOX HUNTING/TRAPPING.	S	REPTD FAV COM SUBSTITUTE
	SA	COM SUBSTITUTE ADOPTED
06-23-04, 06-30-04		
#H1363 LAKE TOXAWAY MOTOR VEHICLE REGULATION.	HR	CH. SL 2004-38
06-17-04		
H1369 EMERALD ISLE/MIDLAND ANNEXATION.	H	CONCURRED ON 2ND READING
06-24-04		
H1385 VARIOUS MUNICIPALITIES SATELLITE ANNEXATION.	H	CONCURRED ON 2ND READING
06-03-04, 06-24-04		
H1422 MINT HILL - POLICE ALL-TERRAIN VEHICLES.	HA	REPTD FAV COM SUBSTITUTE
	H	CAL PURSUANT RULE 36(B)
06-30-04		
H1462 SEVEN DEVILS-REGULATE GOLF CARTS/UTIL. VEH.	S	REPTD FAV
H1475 BADIN SATELLITE ANNEXATION.	H	RATIFIED
H1484 CLEVELAND COUNTY BOARD OF EDUCATION ELECTIONS.	H	RATIFIED
#H1543 ASHEVILLE ABC BOARD MEMBERSHIP INCREASED.	HR	CH. SL 2004-36
05-27-04, 06-17-04		
H1589 MONTGOMERY COMMISSIONER ELECTIONS.	S	REPTD FAV
06-03-04		
H1593 SWANSBORO ANNEXATION.	H	RATIFIED
H1613 CHOWAN/ANSON HUNTING LAWS.	S	REPTD FAV
06-16-04		
H1614 LENOIR ABC PROFIT DISTRIBUTIONS TO BE ANNUAL.	S	REPTD FAV
H1659 PERQUIMANS HUNTING STAND AMENDMENT.	S	REPTD FAV
H1662 CHEROKEE/CLAY/SHOOTING FROM RIGHT-OF-WAY.	S	REPTD FAV
06-16-04		
H1668 AMEND WILSON SUPPLEMENTAL RETIREMENT FUND.	S	REPTD FAV
	S	PLACED ON CAL FOR 6/30/2004
	S	PASSED 2ND & 3RD READING
H1671 MOORESVILLE STREETS AND SIDEWALKS.	S	WITHDRAWN FROM CAL
	S	RE-REF COM ON RULES AND OPERATIONS OF THE SENATE
H1674 ZEBULON CHARTER AMENDMENT.	S	REPTD FAV
06-03-04		
H1678 NORWOOD ANNEXATIONS.	H	RATIFIED
H1684 VANCE FOX SEASONS.	H	RATIFIED
H1688 CONCORD ANNEXATION EFFECTIVE DATE.	H	REPTD FAV
	H	CAL PURSUANT RULE 36(B)

H1721 CURRITUCK OCCUPANCY TAX CHANGES.	HA REPTD FAV COM SUBSTITUTE H CAL PURSUANT RULE 36(B)
06-10-04, 06-30-04	
H1722 CURRITUCK ABC BOARD MEMBERSHIP INCREASED.	H RATIFIED
H1724 HARNETT AND PITT SUBDIVISIONS.	H RATIFIED
06-17-04	
H1728 LAKE ROYALE POLICE AUTHORITY.	S REPTD FAV COM SUBSTITUTE SA COM SUBSTITUTE ADOPTED
06-24-04, 06-30-04	
H1732 SOUTHPORT WARD BOUNDARIES.	H RATIFIED
H1737 WINSTON-SALEM/REIDSVILLE STRUCTURES.	H PASSED 2ND & 3RD READING S REC FROM HOUSE S REF TO COM ON STATE GOVERNMENT, LOCAL GOVERNMENT, AND VETERANS' AFFAIRS
06-24-04	
S1060 TOWN OF FRANKLIN OCCUPANCY TAX.	S WITHDRAWN FROM CAL S PLACED ON CAL FOR 7/6/2004
#S1127 INCORPORATE WALLBURG.	SR CH. SL 2004-37
06-16-04	
S1178 ABOLISH WILKES COUNTY CORONER.	H PLACED ON CAL FOR 7/1/2004
S1181 MODIFY ALLEGHANY OCCUPANCY TAX .	S WITHDRAWN FROM CAL S PLACED ON CAL FOR 7/6/2004
06-02-04	
S1201 ROBESON/NO HUNTING FROM ROADWAYS.	H PASSED 2ND & 3RD READING S REC TO CONCUR H COM SUB S PLACED ON CAL FOR 7/1/2004
06-23-04	
S1205 RUTHERFORDTON ABC DISTRIBUTIONS.	H REC FROM SENATE H REF TO COM ON ALCOHOLIC BEVERAGE CONTROL
06-28-04	
S1233 PINEBLUFF UNOPENED TROLLEY EASEMENTS.	H PLACED ON CAL FOR 7/1/2004
S1265 ORANGE/CHATHAM BOUNDARY.	H REC FROM SENATE H REF TO COM ON FINANCE
06-24-04	
S1277 MADISON TOWN ELECTION.	H PLACED ON CAL FOR 7/1/2004
06-10-04	
S1279 M & M FIRE DISTRICT CONTRACTS.	H PLACED ON CAL FOR 7/1/2004
S1288 MOORESVILLE STREETS AND SIDEWALKS.	H REPTD FAV H CAL PURSUANT RULE 36(B)

SUMMARIES OF AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

S 6. INCREASE REGULATION OF AMUSEMENT DEVICES (NEW). Intro. 2/10/03. House committee substitute makes the following changes to 2nd edition. Replaces existing bill with completely new bill. Amends GS 14-306(c) to require that within 60 days of effective date of act lawful video machines shall be equipped with a hand count feature to permit the reconciliation of the number of plays and the number of paper coupons issued. Enacts new GS 14-306.1(g1), requiring that all video gaming machines have a unique serial number affixed to machine, and new GS 14.306.1(g2), prohibiting video gaming machines from displaying or announcing the words "jackpot," "casino," or "Las Vegas." Amends GS 14.306.1(i) to require that owners of lawful video gaming machines register with the Alcohol Law Enforcement Div'n (was, County Sheriff) by July 1 (was, Oct. 1, 2000) of each year and to require payment of a $300 fee upon annual registration. Requires that fees collected be used to enforce

sec. Enacts new GS 14.306.1(i2) requiring owners to allow Div'n access to any location where a video gaming machine is present. Deletes GS 14.306.1(j) (report on receipts and prizes awarded). Enacts new GS 14-298(b) establishing procedures for retention and destruction of seized video gaming machines.

Enacts new GS Ch. 105, Art. 2E, effective Oct. 1, 2004, imposing an excise tax of $5,000 per machine for possession of an illegal video gaming machine and providing for the imposition of penalties, taxes, and interest for failure to pay excise tax. Requires that unencumbered net proceeds of tax be distributed to law enforcement agency involved in investigation leading to assessment. Requires that state and local law enforcement agencies report video game seizures. Makes technical changes.

S 470. COMPENSATION OF TRUSTEES/OTHER FIDUCIARIES. Intro. 3/20/03. House committee substitute makes the following changes to 2nd edition. Modifies the proposed provisions for compensating trustees in following major ways: (1) Does not require clerk's approval for paying compensation to trustee only if (a) annual amount of compensation does not exceed 4/10 of 1% of trust assets or (b) no beneficiary (as defined in act) has initiated a proceeding for review of compensation within 20 days of notice of compensation provided by trustee. Second edition permitted payment of reasonable compensation without clerk's approval. (2) Requires trustee to provide notice of compensation to beneficiaries only if annual amount thereof exceeds 4/10 of 1% of trust assets: permits trustee to provide permanent notice, in lieu of above notice, if notice sets out amount of trustee compensation or method for computing compensation. Second edition required annual notice of amount of compensation. Sets out permissible mechanisms for giving notice. (3) Permits judicial review of compensation, in action initiated by trustee or by beneficiary, pursuant to GS Chapter 36A, Art. 3. Permits beneficiary to initiate such action even if 20-day period referred to above has expired. Deletes provision in second edition that presumed compensation was reasonable if no action brought within 1 year from notice to beneficiary. (4) Makes act applicable to payments made to fiduciary after Jan. 1, 2005, regardless of when trust or fiduciary relationship established. Second edition was effective Jan. 1, 2004.

S 1043. AGGREGATE TRUCK WEIGHT LIMITS. Intro. 5/11/04. House committee substitute makes the following changes to 2nd edition. Makes technical changes only.

S 1083. STAGGERED PLATES/SAFETY INSPECTION CHANGE (NEW). Intro. 5/13/04. House committee substitute makes the following changes to 1st edition. Adds amendment to GS 20-183.2, exempting from annual safety inspection requirements historic vehicles as defined in GS 20-79.4(b)(17) and changes title accordingly.

S 1171. MOTOR FUELS TAX CHANGES. Intro. 5/19/2004. House committee substitute makes the following changes to 3rd edition. Changes effective date for amendments to GS 105-449.46 (inspection of books and records) and GS 20-91 (audit of vehicle registrations under International Registration Plan) from July 1, 2004, to when bill becomes law.

S 1210. PHASE II STORMWATER MANAGEMENT-1. Intro. 5/20/04. Senate amendment makes the following changes to 2nd edition. Enacts new Sec. 2(1)b. adding certain unincorporated areas designated as an urbanized area under the 1990 or 2000 census to those areas that must comply with new standards. Makes technical changes.

S 1218. CHILD RESTRAINT SYSTEMS MODIFJED. Intro. 5/20/04. House committee substitute makes the following changes to 2nd edition. Makes technical changes and changes effective date from Oct. 1, 2004, to Jan. 1, 2005.

S 1317. BD. OF LAW EXAMINERS/FEES/ ATTY. SOLICITATION. Intro. 5/25/04. Senate committee substitute makes the following changes to 1st edition. Adds amendment to GS 105-41, increasing privilege license tax on practicing attorneys from $50 and $100 and providing that the proceeds from the increase are to be transferred to the NC Public Campaign Financing Fund (which provides public financing for elections for appellate courts); makes increase effective July 1, 2004. Rewrites proposed GS 84-23.2 (limiting attorney solicitations) to prohibit attorneys from sending written communications to prospective clients in civil actions for wrongful death or liability for serious injury within 45 days after event leading to injury or death. Adds new GS 1-13.1 to permit any person who without representation by an attorney enters into agreement for final settlement and release of claim for personal injury or wrongful death, to rescind such agreement during period of ban on attorney solicitation (enacted above) (or any ban enacted by NC State Bar) or for 120 days thereafter.

HOUSE BILLS

H 965. INCREASE PENALTIES FOR FAILURE TO YIELD (NEW). Intro. 4/9/03. Senate committee substitute makes the following changes to 3rd edition. Amends GS 20-160.1 by deleting fines imposed for failure to yield to a pedestrian that causes bodily injury and death. Enacts new GS 20-158(b)(2)b. to require that a vehicle yield when pedestrians are in reasonably close proximity to intersection and are preparing to cross, and to authorize a court to assess a penalty for failure to yield to pedestrian of $100 to $500. Amends GS 20-16(c) to impose four license points for failure to yield to pedestrian, bicycle, motor scooter, or motorcycle, and impose five points for commercial vehicles. Requires that NC Rate Bureau assign one insurance point for failure to yield to a pedestrian. Requires that Dep't of Transportation collect data on violations of GS 20-158(b)(2)b. and report annually to General Assembly beginning Jan. 1, 2006. Encourages DOT and local governmental entities to issue public service announcements informing public of obligation to yield to pedestrians. Changes effective date to Dec. 1, 2004 (was, Dec. 1, 2003). Makes technical changes.

H 1349. COLUMBUS FOX HUNTING/TRAPPING. Intro. 5/10/04. Senate committee substitute makes the following changes to 2nd edition. Removes provisions added to bill regarding fox hunting in Pitt county.

H 1352. EMERGENCY FUNDING/CONTINUING PROVISIONS (NEW). Intro. 5/10/04. Conference report recommends the following changes to 3rd edition to reconcile matters in controversy. Enacts new Sec. 1.(b) authorizing Dep't of Commerce to use up to $300,000 to cover administrative expenses of One North Carolina Fund and other grant programs for 2004-05, and requires that program guidelines be adopted by Sept. 1, 2004 (was, July 1, 2004). Reincorporates Senate amendments #1 and #2, but deletes requirement that Program invest in new lending program and promote diversification of NC small farm businesses and adds requirement that Program provide research and demonstration grants. Also decrease percentage that Center may use for administrative expenses to 4% (was, 5%), increases to $235,100,000 (was, $198,300,000) amount of additional General Fund collections for 2003-04, and deletes reference to 2004-05 collections. Further amends Sec. 2.(a) to require that at least $15 million of funds appropriated to the Rural Economic Development Center be used to provide grants. Makes Sec. 2 effective June 30, 2004.

Adds additional budget provisions as follows. Appropriates $20 million from the General Fund to the Teachers' and State Employees' Retirement System Fund for 2003-04 to partially pay back debt owed to the fund. Continues directions and limitations on expenditures of state funds; block grant provisions; and directives on cash balances, federal receipts, and departmental receipts. Provides that there shall be no automatic step increases for state and public school employees until authorized by the General Assembly and that the State Controller shall not transfer funds on June 30, foregoing provisions effective July 1, 2004, and expire July 9, 2004. Makes technical changes.

H 1359. DOT MINORITY/WOMEN BUSINESSES PROGRAM. Intro. 5/11/04. House committee substitute makes the following changes to 1st edition. Reinstates the GS 136-28.4(c) definition of "disadvantaged business" and provides that it has same meaning as in 49 C.F.R. 26.5. Makes technical changes.

H 1394. 8-YEAR DRIVERS LICENSE/INTERNET DL RENEWAL. Intro. 5/12/04. House committee substitute makes the following changes to 1st edition. Limits 8-year licenses to persons at least 18 but less than 38 (was, 57) at time of issuance. Adds following conditions on who may renew license electronically: (1) person has no restriction other than restriction for corrective lenses on drivers license record in previous year, and (2) person has obtained eye examination within previous 12 months and submits results to DMV.

H 1422. MINT HILL - POLICE ALL-TERRAIN VEHICLES. Intro. 5/13/04. House committee substitute makes the following changes to 1st edition. Amends GS 20-114.2 to permit law enforcement use of all-terrain vehicles owned by a governmental agency on highways where the speed limit is 35 miles per hour or less, and other highways with higher speeds when traveling between speed zones.

H 1449. APA TECHNICAL/CLARIFYING CHANGES. Intro. 5/17/04. Senate committee substitute makes the following changes to 2nd edition. Amends GS 150B-21.1(6) to require that temporary rule issued under that subsection establish review criteria as authorized by GS 131E-183(b) and that rule and hearing notice is submitted prior to effective date of State Medical Facilities Plan. Enacts new GS 150B-33(b)(12) effective Oct. 1, 2004, authorizing administrative law judges to accept a remanded case from an agency, but only when a claim for relief is made, the ALJ decision makes no findings of fact or conclusions of law regarding that claim, and the agency requests that ALJ make findings of fact and conclusions of law on claim for relief. Further authorizes ALJ

to refuse to accept remand if the record is sufficient to allow agency to make a final decision. Makes technical changes.

H 1518. REQUIRE PAYMENT OF RESTITUTION FOR EXPUNCTION. Intro. 5/19/04. Senate committee substitute makes the following changes to 1st edition. Changes effective date from July 1, 2004, to Sept. 1, 2004.

H 1721. CURRITUCK OCCUPANCY TAX CHANGES. Intro. 5/27/04. House committee substitute makes the following changes to 2nd edition. Requires commissioners to establish Tourism Development Authority to control expenditure of proceeds from occupancy taxes levied by commissioners but provides that the commissioners are to serve ex officio as the board of the Authority. Makes other technical changes.

H 1728. LAKE ROYALE POLICE AUTHORITY. Intro. 5/27/04. Senate committee substitute makes the following changes to 2nd edition. Adds provision that permits company police agency certified pursuant to GS Chapter 74E and which has expanded jurisdiction and authority spanning at least two counties to purchase gas, oil, tires, and other materials and supplies under state contract through Dep't of Administration. Permits such an agency to purchase surplus property through Dep't of Administration on same basis as counties and cities.

LEGISLATION ENACTED

SL 2004-36 (H 1543). ASHEVILLE ABC BOARD MEMBERSHIP INCREASED. *AN ACT TO INCREASE THE MEMBERSHIP OF THE CITY OF ASHEVILLE BOARD OF ALCOHOLIC CONTROL.* Summarized in *Daily Bulletin* 5/20/04, 5/27/04, and 6/17/04. Enacted June 30, 2004. Effective June 30, 2004.

SL 2004-37 (S 1127). INCORPORATE WALLBURG. *AN ACT TO INCORPORATE THE TOWN OF WALLBURG.* Summarized in *Daily Bulletin* 5/18/04 and 6/16/04. Enacted June 30, 2004. Effective June 30, 2004.

SL 2004-38 (H 1363). LAKE TOXAWAY MOTOR VEHICLE REGULATION. *AN ACT TO PROVIDE THAT THE LAWS RELATING TO MOTOR VEHICLES APPLY ON THE STREETS OWNED BY THE LAKE TOXAWAY PROPERTY OWNERS' ASSOCIATION IN TRANSYLVANIA COUNTY.* Summarized in *Daily Bulletin* 5/11/04 and 6/17/04. Enacted June 30, 2004. Effective June 30, 2004.

NEXT SESSIONS

July 1, 2004

HOUSE convenes at 2:00 p.m.

SENATE convenes at 10:00 a.m.

341
25:2004/31
N.C. DOCUMENTS CLEARINGHOUSE

Daily Bulletin

ACTIONS BY THE NORTH CAROLINA GENERAL ASSEMBLY

Institute *of* Government—School of Government
The University of North Carolina at Chapel Hill
Legislative Reporting Service, Box 7294 State Legislative Building, Raleigh, NC 27601
Phone 919.733.2484 Fax 919.715.3464

House Legislative Day 135 Vol. 2004, No. 31 Senate Legislative Day 137

Thursday, July 1, 2004

BILLS INTRODUCED TODAY

BILL #	SHORT TITLE	IDEN	COMMITTEE	GS INDEX
S 1444	MEMORIALIZING DR. GIL WYLIE		RULES	JOINT RES

SUMMARIES OF BILLS INTRODUCED TODAY

SENATE BILLS

S 1444. MEMORIALIZING DR. GIL WYLIE. *HONORING THE MEMORY OF DR. GIL WYLIE ON THE 100TH ANNIVERSARY OF LAKE WYLIE.* As title indicates.
Intro. by Hoyle.
Ref. to Rules JOINT RES

CALENDAR ACTION
July 1, 2004

NOTES
1. Amendments and committee substitutes adopted today are summarized in the following section of today's Daily Bulletin.
2. The dates on which previous amendments or committee substitutes were adopted are listed below bill numbers.
3. The action "Cal Pursuant Rule 36b" indicates that the bill has been reported by committee and is awaiting calendaring by the Rules Committee.
4. Enacted bills are indicated by #, failed bills by *.

PUBLIC BILLS

H0173 COSMETIC ART/CONTINUING ED/PENALTY CHANGE.

07-08-03, 07-09-03, 07-01-04

H0354 AMEND DISABILITY LAWS

04-07-03, 07-20-03, 06-24-04, 06-28-04

H0356 REMOVE SUNSET/MUNICIPAL ELECTRIC SERVICE.

07-01-04

S REPTD FAV COM SUBSTITUTE
SA COM SUBSTITUTE ADOPTED
S RE-REF COM ON FINANCE

H PRES. TO GOV. 6/30/2004

S REPTD FAV COM SUBSTITUTE
SA COM SUBSTITUTE ADOPTED
S PLACED ON CAL FOR 7/6/2004

This publication is printed on permanent, acid-free paper in compliance with the North Carolina General Statutes.
Institute of Government—School of Government
The University of North Carolina at Chapel Hill
© 2004

H0918 INCREASE SERVICE OF PROCESS FEE.	H CONCURRED IN S AMEND
07-16-03, 06-24-04	
H0964 FURNITURE REQUIREMENTS CONTRACTS.	H PLACED ON CAL FOR 7/2/2004
06-24-04	
H0965 INCREASE PENALTIES FOR FAILURE TO YIELD.	S WITHDRAWN FROM CAL
	S PLACED ON CAL FOR 7/6/2004
04-29-03, 04-30-03, 06-30-04	
H1107 UTILIZ. REVIEW & GRIEVANCE AMENDMENTS.	S REPTD FAV COM SUBSTITUTE
	SA COM SUBSTITUTE ADOPTED
	S PLACED ON CAL FOR 7/6/2004
05-01-03, 07-01-04	
H1139 JUDICIAL APPROVAL FOR PLEAS IN CERTAIN CASES.	S REPTD FAV COM SUBSTITUTE
	SA COM SUBSTITUTE ADOPTED
	S PLACED ON CAL FOR 7/6/2004
04-30-03, 07-01-04	
H1344 HIGHWAY TRUST FUND CHANGES.	S REC FROM HOUSE
	S REF TO COM ON APPROPRIATIONS/ BASE BUDGET
06-24-04, 06-29-04	
H1352 EMERGENCY FUNDING FOR ONE NC & NEIT.	H PRES. TO GOV. 6/30/2004
05-19-04, 06-16-04, 06-30-04	
H1389 DOT AUTHORITY TO ISSUE GARVEE BONDS.	HA REPTD FAV COM SUBSTITUTE
	H RE-REF COM ON APPROPRIATIONS
07-01-04	
H1393 FEDERAL ENFORCEMENT BY MARINE INSPECTORS.	H PASSED 3RD READING
06-29-04	
H1423 APPRENTICESHIP TAX CREDIT.	HA REPTD FAV COM SUBSTITUTE
	H CAL PURSUANT RULE 36(B)
	H WITHDRAWN FROM CAL
	H RE-REF COM ON RULES, CALENDAR, AND OPERATIONS OF THE HOUSE
06-23-04, 07-01-04	
H1427 REC. SHELLFISH LICENSE/AMEND SHELLFISH LAWS.	HA AMEND ADOPTED #1
	H POSTPONED TO 7/6/2004
	H WITHDRAWN FROM CAL
	H RE-REF COM ON FINANCE
06-29-04, 07-01-04	
H1430 IRC UPDATE AND OTHER TAX CHANGES.	H CONCURRED IN S/COM SUB
05-27-04, 06-16-04	
H1449 APA TECHNICAL/CLARIFYING CHANGES.	S WITHDRAWN FROM CAL
	S PLACED ON CAL FOR 7/6/2004
06-15-04, 06-30-04	
H1457 COMMUNITY SOLUTIONS FOR SUSPENDED STUDENTS.	HA AMEND ADOPTED #1
	H PASSED 2ND & 3RD READING
06-29-04, 07-01-04	
H1460 INTERVENTION PLANS FOR SUSPENDED STUDENTS.	HA AMEND ADOPTED #1
	H PASSED 2ND & 3RD READING
06-29-04, 07-01-04	
H1464 SCHOOL CALENDAR CHANGES.	HA REPTD FAV COM SUBSTITUTE
	H CAL PURSUANT RULE 36(B)
07-01-04	
H1469 DHHS DISEASE MGMT ACTIVITIES.	S WITHDRAWN FROM CAL
	S PLACED ON CAL FOR 7/6/2004
06-17-04	
H1478 RETIREMENT/TEACHER EXCHANGE PROGRAMS.	H RATIFIED
H1513 INCREASE LOCAL GOV'T DEATH BENEFIT.	H REPTD FAV
	H CAL PURSUANT RULE 36(B)

H1518 REQUIRE PAYMENT OF RESTITUTION FOR EXPUNCTION.	S	WITHDRAWN FROM CAL
	S	PLACED ON CAL FOR 7/6/2004
06-30-04		
H1602 DELAYS DOLLAR LIMIT ON CREDIT FOR PARTNERSHIPS.	HA	AMEND ADOPTED #1
	H	PASSED 2ND & 3RD READING
06-28-04, 07-01-04		
H1624 INCREASE RETIREES' CONTRIBUTORY DEATH BENEFIT.	H	REPTD FAV
	H	CAL PURSUANT RULE 36(B)
H1636 RENEWABLE FUEL TAX CREDITS.	S	REC FROM HOUSE
	S	REF TO COM ON FINANCE
06-29-04		
H1665 VENUE FOR JUVENILE HEARINGS.	H	PASSED 2ND & 3RD READING
06-29-04		
H1693 UNEMPL. INS. EXCEPT. FOR CERTAIN DOMESTIC SERV.	H	WITHDRAWN FROM COMM
	H	RE-REF COM ON WAYS AND MEANS
H1760 CLAWBACK FAILED INCENTIVES.	S	REC FROM HOUSE
	S	REF TO COM ON FINANCE
06-29-04		
H1807 HONORING FOUNDERS OF DUKE POWER.	H	PASSED 2ND & 3RD READING
S0020 REGULATE PROFESSIONAL EMPLOYER ORGANIZATION.	H	PLACED ON CAL FOR 7/2/2004
07-10-03, 06-28-04		
S0230 REPEAL UCC ARTICLE ON BULK SALES.	H	CONF COM APPOINTED
03-25-03, 06-11-03		
S0277 EXEMPT HIGHER ED. PROPERTY.	H	WITHDRAWN FROM CAL
	H	RE-REF COM ON RULES, CALENDAR, AND OPERATIONS OF THE HOUSE
05-15-03, 05-20-03		
S0486 CUSTOMER INQUIRIES/INSURANCE COVERAGE.	S	REPTD FAV TO CONCUR
	S	PLACED ON CAL FOR 7/6/2004
04-14-03, 06-03-04, 06-21-04		
S0582 PUBLIC HEALTH PREPAREDNESS AND RESPONSE	S	RATIFIED
04-30-03, 06-02-04		
S0848 VETERINARY BD. AGREEMENTS/IMPAIRED VETS.	H	WITHDRAWN FROM COMM
	H	RE-REF COM ON FINANCE
04-22-03		
S0852 ORGAN DONOR ORG'S./ACCESS TO DMV RECORDS.	HA	REPTD FAV COM SUBSTITUTE
	H	CAL PURSUANT RULE 36(B)
06-05-03, 07-15-03, 07-17-03, 07-01-04		
S0933 WETLANDS REIMBURSEMENT/LOCAL TAX BASE.	H	REPTD FAV
	H	CAL PURSUANT RULE 36(B)
S0991 CONSUMER'S RIGHT TO KNOW AND ACT.	HA	REPTD FAV COM SUBSTITUTE
	H	CAL PURSUANT RULE 36(B)
	H	PLACED ON CAL FOR 7/1/2004
	H	PASSED 2ND READING
	H	PASSED 3RD READING
05-01-03, 07-01-04		
S1086 PUBLIC TRANSIT DECELERATION LAMPS.	S	RATIFIED
06-07-04		
S1092 VA-NC INTERSTATE HIGH-SPEED RAIL COMPACT.	H	PASSED 2ND & 3RD READING
S1118 SPECIAL LICENSE PLATES.	H	PLACED ON CAL FOR 7/2/2004
06-03-04, 06-28-04		
S1128 LOCKSMITH CRIMINAL HISTORY RECORD CHECK FEE.	H	REPTD FAV
	H	CAL PURSUANT RULE 36(B)
05-27-04		
S1144 "IN GOD WE TRUST" SPECIAL PLATES.	H	PLACED ON CAL FOR 7/2/2004
06-02-04		

S1145 REVENUE LAWS TECHNICAL CHANGES. 06-07-04, 06-28-04	H PLACED ON CAL FOR 7/2/2004
S1148 CARE FOR THE MENTALLY ILL IN LTC FACILITIES. 06-02-04, 07-01-04	HA REPTD FAV COM SUBSTITUTE H CAL PURSUANT RULE 36(B)
S1167 CONDO AND PLANNED COMM. CLARIFICATIONS. 06-22-04	S CONCURRED IN H/COM SUB
S1210 PHASE II STORMWATER MANAGEMENT-1. 06-29-04, 06-30-04	H REC FROM SENATE H REF TO COM ON ENVIRONMENT AND NATURAL RESOURCES
S1254 RESPIRATORY CARE BD/BACKGROUND CHECKS/ FEES. 06-03-04	H REPTD FAV H CAL PURSUANT RULE 36(B)
S1312 LOCAL GOV'T EMPLOYEES/457 PLAN. 06-02-04, 06-23-04	H WITHDRAWN FROM COMM H CAL PURSUANT RULE 36(B)
S1384 AMEND BARBERING LAWS/INCREASE FEES. 06-17-04, 07-01-04	HA REPTD FAV COM SUBSTITUTE H CAL PURSUANT RULE 36(B)
#S1443 MEMORIALIZING KATHLEEN BRYAN EDWARDS.	S RATIFIED SR CH. RES 2004-8
S1444 MEM. DR. GIL WYLIE/LAKE WYLIE'S 100TH ANNIV.	S PLACED ON CAL FOR 7/1/2004 S PASSED 2ND & 3RD READING H REC FROM SENATE H PLACED ON CAL FOR 7/6/2004

LOCAL BILLS

#H0224 CABARRUS ANNEXATION. 07-17-03, 07-19-03, 06-21-04, 06-24-04	HR CH. SL 2004-39
H1349 COLUMBUS/PITT FOX HUNTING/TRAPPING. 06-23-04, 06-30-04	S WITHDRAWN FROM CAL S PLACED ON CAL FOR 7/6/2004
H1369 EMERALD ISLE/MIDLAND ANNEXATION. 06-24-04	H CONCURRED ON 3RD READING
H1385 VARIOUS MUNICIPALITIES SATELLITE ANNEXATION. 06-03-04, 06-24-04	H CONCURRED ON 3RD READING
H1462 SEVEN DEVILS-REGULATE GOLF CARTS/UTIL. VEH.	S WITHDRAWN FROM CAL S PLACED ON CAL FOR 7/6/2004
#H1475 BADIN SATELLITE ANNEXATION.	HR CH. SL 2004-40
#H1484 CLEVELAND COUNTY BOARD OF EDUCATION ELECTIONS.	HR CH. SL 2004-41
H1589 MONTGOMERY COMMISSIONER ELECTIONS. 06-03-04	S WITHDRAWN FROM CAL S PLACED ON CAL FOR 7/6/2004
#H1593 SWANSBORO ANNEXATION.	HR CH. SL 2004-42
H1613 CHOWAN/ANSON HUNTING LAWS. 06-16-04	S WITHDRAWN FROM CAL S PLACED ON CAL FOR 7/6/2004
H1614 LENOIR ABC PROFIT DISTRIBUTIONS TO BE ANNUAL.	S WITHDRAWN FROM CAL S PLACED ON CAL FOR 7/6/2004
H1659 PERQUIMANS HUNTING STAND AMENDMENT.	S WITHDRAWN FROM CAL S PLACED ON CAL FOR 7/6/2004
H1662 CHEROKEE/CLAY/SHOOTING FROM RIGHT-OF-WAY. 06-16-04	S WITHDRAWN FROM CAL S PLACED ON CAL FOR 7/6/2004

H1668 AMEND WILSON SUPPLEMENTAL RETIREMENT FUND.	H RATIFIED
H1674 ZEBULON CHARTER AMENDMENT.	S WITHDRAWN FROM CAL S PLACED ON CAL FOR 7/6/2004
06-03-04	
#H1678 NORWOOD ANNEXATIONS.	HR CH. SL 2004-43
#H1684 VANCE FOX SEASONS.	HR CH. SL 2004-44
#H1722 CURRITUCK ABC BOARD MEMBERSHIP INCREASED.	HR CH. SL 2004-45
#H1724 HARNETT AND PITT SUBDIVISIONS.	HR CH. SL 2004-46
06-17-04	
H1728 LAKE ROYALE POLICE AUTHORITY.	S WITHDRAWN FROM CAL S PLACED ON CAL FOR 7/6/2004
06-24-04, 06-30-04	
#H1732 SOUTHPORT WARD BOUNDARIES.	HR CH. SL 2004-47
S1093 EDGECOMBE/WILSON TAX CERTIFICATION.	HA AMEND ADOPTED #1 H PASSED 2ND READING
05-25-04, 06-01-04, 07-01-04	
S1136 DURHAM PROTEST PETITION.	H WITHDRAWN FROM COMM H RE-REF COM ON LOCAL GOVERNMENT II
06-17-04	
S1178 ABOLISH WILKES COUNTY CORONER.	H PASSED 2ND & 3RD READING
S1201 ROBESON/NO HUNTING FROM ROADWAYS.	S CONCURRED IN H/COM SUB
06-23-04	
S1233 PINEBLUFF UNOPENED TROLLEY EASEMENTS.	H PASSED 2ND & 3RD READING
S1265 ORANGE/CHATHAM BOUNDARY.	H REPTD FAV H CAL PURSUANT RULE 36(B)
06-24-04	
S1277 MADISON TOWN ELECTION.	H PASSED 2ND & 3RD READING
06-10-04	
S1279 M & M FIRE DISTRICT CONTRACTS.	H PASSED 2ND & 3RD READING
S1305 VARIOUS MUNICIPALITIES SATELLITE ANNEXATIONS.	HA REPTD FAV COM SUBSTITUTE H CAL PURSUANT RULE 36(B)
06-07-04, 07-01-04	
S1356 GIBSONVILLE WHITSETT BOUNDARY.	H REPTD FAV H CAL PURSUANT RULE 36(B) H WITHDRAWN FROM CAL H RE-REF COM ON LOCAL GOVERNMENT II

SUMMARIES OF AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

S 852. ORGAN DONOR ORG'S./ACCESS TO DMV RECORDS. Intro. 04/03/03. House amendment makes the following changes to 4th edition. (1) Changes throughout the bill the phrase "organ procurement organizations and eye banks" to "federally designated organ procurement organizations and eye banks." (2) Amends sec. 1 by adding requirement that read-only information from the Organ Donor Internet site will be used for the sole purpose of seeking consent from a prospective donor's next of kin. (3) Amends proposed amendment of GS 20-7.3 in sec. 3 of the bill to require that organ donation information be provided to each drivers license applicant separately from the organ donor card offered to the applicant.

S 991. IMPROVE STATE IT EFFICIENCY & PROJ. MGM'T (NEW). Intro. 4/3/03. House committee substitute makes the following changes to 2nd edition. Replaces existing bill with completely new bill enacting new GS Ch. 147, Ch. 3D, Part 1, State Information Technology Management. New Part 1 requires that (1) the State Chief

Information Officer (CIO) develop a biennial State Information Technology Plan, to include an inventory of current information technology (IT) assets and major projects currently in progress, an evaluation and estimation of the significant state IT needs for the next five years and the cost of those needs, and an analysis of initiatives that would improve the effectiveness of state IT programs, and that each executive agency and the Administrative Office of the Courts develop a biennial agency IT plan; (2) the State CIO review all agency IT projects in excess of $500,000 and establish thresholds for determining which IT projects costing less than $500,000 shall be subject to CIO approval, and CIO suspend approval of any IT project costing more than $500,000 that does not continue to meet quality assurance standards; and that (3) all agency contracts for IT include provisions for vendor performance review and accountability. Act establishes a review process to resolve disputes when CIO has either failed to approve or has suspended an IT project. Requires that each State agency establish a project manager for each IT project requiring CIO approval, manager to provide periodic reports to Office of IT Services, and that Office establish procedures for IT procurement. Creates 12-member Information Technology Board located within the Office of IT Services (ITS). Establishes an Information Technology Fund.

Amends GS 147-33.76(a) to delete requirement that Governor consult with General Assembly Committees before appointing State CIO and enacts new GS 147-33.76(b1) to delineate responsibilities of state CIO. Repeals GS 147-33.78 and –33.79 (Information Resource Management Comm'n and staff) and transfers personnel, property and funding of Comm'n to ITS. Requires that $7.5 million be transferred from the IT Services Internal Fund to the IT Fund June 30, 2004. For 2004-05, appropriates $2.7 million from IT Fund to Office of State Controller to implement the recommendations of Business Infrastructure Study; and $4.8 million to ITS for listed purposes. Enacts new GS 120-231(a1) requiring that the Jt. Select Comm. on IT continually examine systemwide issues affecting state IT.

Requires that each state agency (except UNC and its constituent institutions), the AOC, and the General Assembly, conduct an analysis of its IT infrastructure and submit reports to the Office of State Budget and Management and state CIO by March 1, 2005. Further requires that OSBM develop a plan to consolidate IT infrastructure, staffing, and expenditures, including recommendations to convert contractor FTE to state positions where contractor positions have been filled for 12 months. A state agency that has issued an RFP for an IT project is not required to seek approval by the state CIO or revise the RFP. Makes technical and conforming changes. Effective July 1, 2004.

S 1093. EDGECOMBE/NASH/WILSON TAX CERTIFICATION. Intro. 05/13/04. House amendment makes the following changes to 3rd edition. Changes title to *AN ACT TO ADD EDGECOMBE, HALIFAX, LENOIR, NASH, PENDER, AND WILSON COUNTIES TO THOSE COUNTIES AUTHORIZED TO USE A TAX CERTIFICATION PROCESS TO ASSIST IN THE COLLECTION OF DELINQUENT PROPERTY TAXES.* Amends bill to include Halifax, Lenoir, and Pender Counties among those counties to which GS 161-31 applies.

S 1148. CARE FOR THE MENTALLY ILL IN LTC FACILITIES. Intro. 5/18/04. House committee substitute makes the following changes to 2nd edition. Requires that DHHS include in study representatives from Area Authorities, Local Management Entities, and the adult care home and nursing home industries, and adds requirement that DHHS consider whether to create two separate teams, a Geriatric Mental Health Speciality Team for geriatric services and a LTC Mental Health Speciality Team for nongeriatric services. Requires that Dep't immediately implement established standardized criteria and report to General Assembly on the implementation of remaining criteria. Requires that DHHS track the use of clinicians on the speciality teams. Makes technical changes.

S 1305. ANGIER SATELLITE ANNEXATION (NEW). Intro. 5/25/04. House committee substitute makes the following changes to 2nd edition. Amends GS 160A-58.1(B)(5) by adding Angier to list of municipalities exempted and deletes Apex, Fuquay-Varina, Garner, Holly Springs, Knightdale, Leland, Morrisville, Rolesville, Wallace, Wendell, and Zebulon from original bill.

S 1384. AMEND BARBERING LAWS (NEW). Intro. 5/27/04. House committee substitute makes the following changes to 2nd edition. Deletes amendments to GS 86A-25 that would have increased State Board of Barber Examiners fees.

HOUSE BILLS

H 1389. GARVEE BONDS (NEW). Intro. 5/12/04. House committee substitute makes the following changes to 1st edition. Deletes provision authorizing issuance of bonds and amends title accordingly. Directs Transp. Sec'y and State Treasurer to form a committee to develop a plan for issuance of bonds and to report by March 1, 2005.

H 1423. APPRENTICESHIP TAX CREDIT. Intro. 05/03/04. House committee substitute makes the following changes to 2nd edition. Makes technical changes only.

H 1427. REC. SHELLFISH LICENSE/AMEND SHELLFISH LAWS. Intro. 05/13/04. House amendment makes the following changes to 2nd edition. Amends proposed new GS 113-174(e) to provide that the recreational shellfish license shall be valid from the date of purchase until July 1, 2008.

H 1457. COMMUNITY SOLUTIONS FOR SUSPENDED STUDENTS. Intro. 5/17/04. House amendment makes the following changes to 2nd edition. Adds statement that the act does not require local school administrative units to create new alternative programs or to pay for costs of students attending outside programs.

H 1460. INTERVENTION PLANS FOR SUSPENDED STUDENTS. Intro. 5/17/04. House amendment makes the following changes to 2nd edition. Amends GS 115C-397.11 to require that parents or guardians, or students, if emancipated, be included in the development and implementation of an intervention plan.

H 1464. SCHOOL CALENDAR CHANGES. Intro. 05/17/04. House committee substitute makes the following changes to 1st edition. Changes title to *A BILL TO BE ENTITLED AN ACT TO REDUCE BY TEN THE NUMBER OF NONINSTRUCTIONAL TEACHER WORKDAYS; TO PROVIDE THAT PUBLIC SCHOOL SHALL OPEN NO SOONER THAN AUGUST 25 AND CLOSE NO LATER THAN JUNE 10 EXCEPT IN YEAR-ROUND SCHOOLS OR IN SCHOOLS IN LOCAL SCHOOL ADMINISTRATIVE UNITS THAT HAVE BEEN CLOSED EIGHT DAYS PER YEAR DURING ANY FOUR OF THE LAST TEN YEARS BECAUSE OF SEVERE WEATHER CONDITIONS, ENERGY SHORTAGES, POWER FAILURES, OR OTHER EMERGENCY SITUATIONS; TO ENSURE THAT TEACHERS ARE PAID IN AUGUST; TO PROVIDE THAT LOCAL BOARDS OF EDUCATION SCHEDULE FIVE NONINSTRUCTIONAL TEACHER WORKDAYS AT THE BEGINNING OF THE SCHOOL YEAR AND AT THE END OF EACH ACADEMIC QUARTER, AND THAT THESE DAYS ARE PROTECTED FOR TEACHERS TO COMPLETE INSTRUCTIONAL AND CLASSROOM ADMINISTRATIVE DUTIES; TO PROVIDE THAT NONINSTRUCTIONAL TEACHER WORKDAYS MAY CONTINUE TO BE DESIGNATED AS DAYS ON WHICH TEACHERS WITH ACCUMULATED VACATION LEAVE MAY TAKE THAT LEAVE AND TO REQUIRE AT LEAST TWO OF THOSE DAYS THAT ARE SCHEDULED BY THE SCHOOL'S PRINCIPAL TO BE DESIGNATED AS DAYS ON WHICH TEACHERS WITH ACCUMULATED VACATION LEAVE MAY TAKE THAT LEAVE; TO ALLOW ANY OF THE NONINSTRUCTIONAL TEACHER WORKDAYS THAT ARE SCHEDULED BY THE SCHOOL'S PRINCIPAL TO BE DESIGNATED AS MAKE-UP DAYS FOR DAYS MISSED DUE TO INCLEMENT WEATHER; TO DEFINE "YEAR-ROUND SCHOOL" AS HAVING A SCHOOL CALENDAR THAT COVERS AT LEAST ELEVEN CALENDAR MONTHS; TO PROVIDE THAT THE REDUCTION IN TEACHER WORKDAYS DOES NOT REDUCE THE ANNUAL RATE OF PAY FOR TEACHERS AND OTHER EMPLOYEES; TO PROVIDE THAT NOTHING IN THIS ACT SHALL BE CONSTRUED AS CHANGING THE PAY CYCLE FOR NONCERTIFIED EMPLOYEES; TO PROVIDE THAT NOTHING IN THIS ACT REQUEST THE GENERAL ASSEMBLY TO APPROPRIATE FUNDS FOR ITS IMPLEMENTATION OR REQUIRES LOCAL SCHOOL ADMINISTRATIVE UNITS TO EXPEND ADDITIONAL FUNDS FOR ITS IMPLEMENTATION; TO PROVIDE THAT THIS ACT APPLIES TO SCHOOLS BEGINNING WITH THE 2005-2006 SCHOOL YEAR; TO PROVIDE THAT THE ACT APPLIES IN ALL ONE HUNDRED COUNTIES AND IN ALL LOCAL SCHOOL ADMINISTRATIVE UNITS; AND TO PROVIDE THAT THE ACT IS EFFECTIVE WHEN IT BECOMES LAW.* Changes bill as title indicates.

H 1602. DELAYS $ LIMIT ON CREDIT FOR PARTNERSHIPS. Intro. 05/20/04. House amendment makes the following changes to 2nd edition. Adds provision authorizing the Revenue Laws Study Comm. to study specified issues raised by the credits amended by the act and report its results to the General Assembly by Feb. 1, 2005.

In the Senate and House sessions scheduled for July 2, 2004, no votes are to be taken on bills. No *Daily Bulletin* will be published on that date. The next *Daily Bulletin* will be published on Tuesday, July 6, 2004.

NEXT SESSIONS

July 2, 2004

HOUSE convenes at 10:00 a.m.

SENATE convenes at 9:00 a.m.

5:2004/32

Daily Bulletin

ACTIONS BY THE NORTH CAROLINA GENERAL ASSEMBLY

Institute *of* Government—School of Government
The University of North Carolina at Chapel Hill
Legislative Reporting Service, Box 7294 State Legislative Building, Raleigh, NC 27601
Phone 919.733.2484 Fax 919.715.3464

House Legislative Day 137 Vol. 2004, No. 32 Senate Legislative Day 139

Tuesday, July 6, 2004

N.C. DOCUMENTS CLEARINGHOUSE
JUL 0 9 2004
STATE LIBRARY OF NORTH CAROLINA
RALEIGH

BILLS INTRODUCED TODAY

NONE

CALENDAR ACTION

NOTES
1. Amendments and committee substitutes adopted today are summarized in the following section of today's Daily Bulletin.
2. The dates on which previous amendments or committee substitutes were adopted are listed below bill numbers.
3. The action "Cal Pursuant Rule 36b" indicates that the bill has been reported by committee and is awaiting calendaring by the Rules Committee.
4. Enacted bills are indicated by #, failed bills by *.

PUBLIC BILLS

July 2, 2004

H1345 DOT TECHNICAL CORRECTION.	S	WITHDRAWN FROM COMM
	S	RE-REF COM ON JUDICIARY I
H1393 FEDERAL ENFORCEMENT BY MARINE INSPECTORS.	S	REC FROM HOUSE
	S	REF TO COM ON AGRICULTURE/ ENVIRONMENT/NATURAL RESOURCES
06-29-04		
H1463 HEALTH INSURANCE INNOVATIONS COMMISSION.	H	PLACED ON CAL FOR 7/6/2004
06-09-04, 06-10-04, 06-23-04, 06-28-04		
H1665 VENUE FOR JUVENILE HEARINGS.	S	REC FROM HOUSE
	S	REF TO COM ON JUDICIARY II
06-29-04		
H1807 HONORING FOUNDERS OF DUKE POWER.	S	REC FROM HOUSE
	S	REF TO COM ON RULES AND OPERATIONS OF THE SENATE
S0732 NEW URBAN WATERFRONT DEVELOPMENT PILOT.	H	PLACED ON CAL FOR 7/6/2004
06-29-04		
S0859 RIVER BASINS ADVISORY COMMISSIONS	S	PRES. TO GOV. 7/1/2004
06-12-03, 06-15-04, 06-23-04		
S1086 PUBLIC TRANSIT DECELERATION LAMPS.	S	PRES. TO GOV. 7/1/2004
06-07-04		

This publication is printed on permanent, acid-free paper in compliance with the North Carolina General Statutes.
Institute of Government—School of Government
The University of North Carolina at Chapel Hill
© 2004

#S1159 MILITARY AFFAIRS COMM. MEMBERSHIP.	S	SIGNED BY GOV. 7/1/2004
	SR	CH. SL 2004-49
06-02-04		
S1202 SEPTIC SYSTEM SETBACKS FOR PRE-1977 LOTS.	H	PLACED ON CAL FOR 7/6/2004
06-29-04		
#S1219 DRY CLEANING SOLVENT CLEANUP ACT AMENDMENTS.	S	SIGNED BY GOV. 7/1/2004
	SR	CH. SL 2004-48

July 6, 2004

H0356 REMOVE SUNSET/MUNICIPAL ELECTRIC SERVICE.	S	PASSED 2ND & 3RD READING
	H	REC TO CONCUR S COM SUB
	H	COM SUB RULED MATERIAL
	H	REF TO COM ON FINANCE
07-01-04		
H0831 COASTAL RECREATIONAL FISHING LICENSE/ FUND.	S	REPTD FAV COM SUBSTITUTE
	SA	COM SUBSTITUTE ADOPTED
	S	RE-REF COM ON FINANCE
	S	REPTD FAV
	S	RE-REF COM ON APPROPRIATIONS/ BASE BUDGET
	S	REPTD FAV AS AMENDED
	SA	COM AMEND ADPT & ENGROSS #1, #2, & #3
05-20-03, 07-09-03, 07-17-03, 07-18-03, 07-19-03, 07-06-04		
H0918 INCREASE SERVICE OF PROCESS FEE.	H	RATIFIED
07-16-03, 06-24-04		
H0951 CREATE CIVIL NO-CONTACT PROTECTIVE ORDERS.	S	REPTD FAV COM SUBSTITUTE
	SA	COM SUBSTITUTE ADOPTED
04-30-03, 07-06-04		
H0964 FURNITURE REQUIREMENTS CONTRACTS.	H	CONCURRED IN S/COM SUB
06-24-04		
H0965 INCREASE PENALTIES FOR FAILURE TO YIELD.	S	PASSED 2ND READING
04-29-03, 04-30-03, 06-30-04		
H1107 UTILIZ. REVIEW & GRIEVANCE AMENDMENTS.	S	PASSED 2ND & 3RD READING
	H	REC TO CONCUR S COM SUB
	H	REF TO COM ON INSURANCE
05-01-03, 07-01-04		
H1139 JUDICIAL APPROVAL FOR PLEAS IN CERTAIN CASES.	SA	AMEND ADOPTED # 1
	S	PASSED 2ND & 3RD READING
	S	ENGROSSED
04-30-03, 07-01-04, 07-06-04		
H1152 CLARIFY DISCLOSURE MV TOTAL LOSS CLAIM.	S	WITHDRAWN FROM CAL
	S	PLACED ON CAL FOR 7/7/2004
05-01-03, 06-23-04		
H1420 REGIONAL AGENCY DEBT SETOFF.	SA	AMEND ADOPTED # 1
	S	PASSED 2ND & 3RD READING
	H	REC TO CONCUR IN S AMEND
	H	REF TO COM ON RULES, CALENDAR, AND OPERATIONS OF THE HOUSE
07-06-04		
H1430 IRC UPDATE AND OTHER TAX CHANGES.	H	CONCURRED ON 3RD READING
05-27-04, 06-16-04		
H1449 APA TECHNICAL/CLARIFYING CHANGES.	S	WITHDRAWN FROM CAL
	S	RE-REF COM ON JUDICIARY I
06-15-04, 06-30-04		

H1457 COMMUNITY SOLUTIONS FOR SUSPENDED STUDENTS.	S	REC FROM HOUSE
	S	REF TO COM ON EDUCATION/ HIGHER EDUCATION
06-29-04, 07-01-04		
H1460 INTERVENTION PLANS FOR SUSPENDED STUDENTS.	S	REC FROM HOUSE
	S	REF TO COM ON EDUCATION/ HIGHER EDUCATION
06-29-04, 07-01-04		
H1463 HEALTH INSURANCE INNOVATIONS COMMISSION.	H	FAILED CONCUR IN COM SUB
06-09-04, 06-10-04, 06-23-04, 06-28-04		
H1469 DHHS DISEASE MGMT ACTIVITIES.	S	PASSED 2ND & 3RD READING
06-17-04		
H1478 RETIREMENT/TEACHER EXCHANGE PROGRAMS.	H	PRES. TO GOV. 7/2/2004
H1518 REQUIRE PAYMENT OF RESTITUTION FOR EXPUNCTION.	S	PASSED 2ND READING
06-30-04		
H1602 DELAYS DOLLAR LIMIT ON CREDIT FOR PARTNERSHIPS.	S	REC FROM HOUSE
	S	REF TO COM ON FINANCE
06-28-04, 07-01-04		
S0020 REGULATE PROFESSIONAL EMPLOYER ORGANIZATION.	H	POSTPONED TO 7/7/2004
07-10-03, 06-28-04		
S0242 HONOR RETIRING FIREFIGHTERS.	H	WITHDRAWN FROM COMM
	H	RE-REF COM ON FINANCE
03-19-03		
S0444 SCHOOL INFO/MENINGITIS AND FLU.	S	REPTD FAV TO CONCUR
06-23-04, 06-24-04		
S0486 CUSTOMER INQUIRIES/INSURANCE COVERAGE.	S	CONCURRED IN H/COM SUB
'04-14-03, 06-03-04, 06-21-04		
S0582 PUBLIC HEALTH PREPAREDNESS AND RESPONSE	S	PRES. TO GOV. 7/2/2004
04-30-03, 06-02-04		
S0732 NEW URBAN WATERFRONT DEVELOPMENT PILOT.	H	PASSED 2ND & 3RD READING
06-29-04		
S0991 IMPROVE STATE IT EFFICIENCY & PROJ. MGM'T.	S	REC TO CONCUR H COM SUB
	S	PLACED ON CAL FOR 7/7/2004
05-01-03, 07-01-04		
S1054 INCREASE METHAMPHETAMINE PENALTIES.	S	PLACED ON CAL FOR 7/6/2004
	SA	AMEND ADOPTED # 1
	S	PASSED 3RD READING
	S	ENGROSSED
05-27-04, 07-06-04		
S1092 VA-NC INTERSTATE HIGH-SPEED RAIL COMPACT.	S	RATIFIED
S1118 SPECIAL LICENSE PLATES.	H	PASSED 2ND READING
06-03-04, 06-28-04		
S1144 "IN GOD WE TRUST" SPECIAL PLATES.	H	PASSED 2ND READING
06-02-04		
S1145 REVENUE LAWS TECHNICAL CHANGES.	H	FISCAL NOTE REQUESTED
	H	REMOVED FROM CAL
06-07-04, 06-28-04		
S1167 CONDO AND PLANNED COMM. CLARIFICATIONS.	S	RATIFIED
06-22-04		
S1202 SEPTIC SYSTEM SETBACKS FOR PRE-1977 LOTS.	H	PASSED 2ND READING
06-29-04		
S1408 HON. GENERAL RUTHERFORD/RUTHERFORD COUNTY ANNIV.	H	PASSED 2ND & 3RD READING

S1441 MEMORIALIZING RAY CHARLES.	HA	AMEND ADOPTED #1
	H	PASSED 2ND & 3RD READING
07-06-04		
S1444 MEM. DR. GIL WYLIE/LAKE WYLIE'S 100TH ANNIV.	H	PASSED 2ND & 3RD READING

LOCAL BILLS

July 2, 2004

H1348 CAMDEN COUNTY OCCUPANCY TAX.	H	PLACED ON CAL FOR 7/6/2004
H1721 CURRITUCK OCCUPANCY TAX CHANGES.	H	PLACED ON CAL FOR 7/6/2004
06-10-04, 06-30-04		

July 6, 2004

H1348 CAMDEN COUNTY OCCUPANCY TAX.	H	PASSED 2ND READING
H1349 COLUMBUS/PITT FOX HUNTING/TRAPPING.	S	PASSED 2ND & 3RD READING
	H	REC TO CONCUR S COM SUB
	H	CAL PURSUANT RULE 36(B)
06-23-04, 06-30-04		
H1369 EMERALD ISLE/MIDLAND ANNEXATION.	H	RATIFIED
06-24-04		
H1385 VARIOUS MUNICIPALITIES SATELLITE ANNEXATION.	H	RATIFIED
06-03-04, 06-24-04		
H1462 SEVEN DEVILS-REGULATE GOLF CARTS/UTIL. VEH.	S	PASSED 2ND & 3RD READING
H1589 MONTGOMERY COMMISSIONER ELECTIONS.	S	PASSED 2ND & 3RD READING
06-03-04		
H1613 CHOWAN/ANSON HUNTING LAWS.	S	PASSED 2ND & 3RD READING
06-16-04		
H1614 LENOIR ABC PROFIT DISTRIBUTIONS TO BE ANNUAL.	S	PASSED 2ND & 3RD READING
H1659 PERQUIMANS HUNTING STAND AMENDMENT.	S	PASSED 2ND & 3RD READING
H1662 CHEROKEE/CLAY/SHOOTING FROM RIGHT-OF-WAY.	S	PASSED 2ND & 3RD READING
06-16-04		
H1674 ZEBULON CHARTER AMENDMENT.	S	PASSED 2ND & 3RD READING
06-03-04		
H1721 CURRITUCK OCCUPANCY TAX CHANGES.	H	PASSED 2ND READING
06-10-04, 06-30-04		
H1728 LAKE ROYALE POLICE AUTHORITY.	S	PASSED 2ND & 3RD READING
	H	REC TO CONCUR S COM SUB
	H	CAL PURSUANT RULE 36(B)
06-24-04, 06-30-04		
S1060 TOWN OF FRANKLIN OCCUPANCY TAX.	S	PASSED 3RD READING
	H	REC FROM SENATE
	H	REF TO COM ON FINANCE
S1093 EDGECOMBE/WILSON TAX CERTIFICATION.	H	PASSED 3RD READING
05-25-04, 06-01-04, 07-01-04		
S1178 ABOLISH WILKES COUNTY CORONER.	S	RATIFIED
S1181 MODIFY ALLEGHANY OCCUPANCY TAX .	S	PASSED 2ND READING
06-02-04		
S1201 ROBESON/NO HUNTING FROM ROADWAYS.	S	RATIFIED
06-23-04		
S1233 PINEBLUFF UNOPENED TROLLEY EASEMENTS.	S	RATIFIED

S1277 MADISON TOWN ELECTION. S RATIFIED
06-10-04
S1279 M & M FIRE DISTRICT CONTRACTS. S RATIFIED

SUMMARIES OF AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

S 1054. INCREASE METHAMPHETAMINE PENALTIES. Intro. 5/12/04. Senate amendment makes the following changes to 2nd edition and amends title. Creates a new GS 15A-1340.16D providing for an enhanced 60-month sentence if the defendant is convicted of manufacture of methamphetamine and the offense resulted in serious injury to a law enforcement officer, probation officer, parole officer, emergency medical services employee, or a firefighter. The relevant facts must be alleged in the indictment or information and proved beyond a reasonable doubt during the trial on the drug offense, unless the defendant pleads guilty or no contest to the issue. If the defendant pleads guilty or no contest to the drug offense but not guilty to the enhancement, a jury shall be empanelled to hear the enhancement. The enhancement does not apply if the drug offense is packaging or repackaging methamphetamine or labeling or relabeling the methamphetamine container. New section is effective December 1, 2004 and applies to offenses committed on or after that date.

S 1441. MEMORIALIZING RAY CHARLES. Intro. 6/23/04. House amendment makes the following changes to 1st edition. Makes technical changes only.

HOUSE BILLS

H 173. COSMETIC ART/CONTINUING ED/PENALTY CHANGE. Intro. 3/3/03. House committee substitute adopted July 1, 2004 makes the following changes to 3rd edition. Amends GS 88B-21(e) by deleting exemption for certain licensees 55 years of age or older from continuing education requirements and adding prohibition on members of the NC Board of Cosmetic Art Examiners offering continuing education classes that are required by this section. Changes effective date of amendments to GS 88B-21 to October 1, 2004 (was, October 1, 2003).

H 356. FEES (NEW). Intro. 3/10/2004. Senate committee substitute adopted July 1, 2004 makes the following changes to 1st edition. Completely replaces prior edition as follows. Amends GS 84-23, authorizing the Council to regulate State Bar certified paralegals and to charge fees to applicants and participants necessary to administer its certification programs. Amends GS 84-37, authorizing the Council to investigate and act on complaints related to the unauthorized use of various certified paralegal designations. Makes technical and conforming changes. Amends subsection (e) of SL 2003-284 sec. 12.6C (Industrial Comm'n Fees/Computer System Replacement) to provide that the Comm'n may retain authorized fees until the 2009-2011 fiscal biennium. Effective October 1, 2004.

H 831. SALTWATER FISHING FUND/HOLDOVER APPOINTMENTS (NEW). Intro. 4/2/03. Senate committee substitute makes the following changes to 6th edition. Enacts new GS Ch. 113, Art. 14C, establishing the NC Saltwater Fishing Fund and an 11-member Board of Trustees of the Fund. Authorizes Board to disburse investment income of the Fund to state and local governments, and nonprofit corporations to enhance the fishery resources of the state for commercial and recreational fishing, including resource and habitat enhancement, grants to fund fisheries management research for certain species, purchase of public beach access areas and public marinas, emergency dredging for the restoration of access to public fishing areas, and establishment of marine sciences scholarships. Sets limits on annual Board administrative expenses. Authorizes Board to disburse up to 50% of license revenues during 2005-06 through 2015-16, and requires report to Jt. Legis. Comm'n on Seafood and Aquaculture by Sept. 30 of each year. Further requires Board to develop an implementation plan for issuance of Saltwater Fishing Licenses no later than Jan. 1, 2005, to include a fully automated licensing and renewal system so individuals need not have a paper license, and requires that Board study the establishment of a unified recreational fishing license. Requires State Controller to transfer $5 million from unreserved credit balance to Fund, to be repaid by July 1, 2010.

Amends GS Ch. 113, Art. 14B, effective July 1, 2005, as follows. Changes name of licenses from 'Coastal Recreational Fishing Licenses' to 'Saltwater Fishing Licenses' (SFLs). Deletes GS 113-174.1(d) and (f) – (h) relating to licensing requirements. Replaces GS 113-174.1(e), making it unlawful for individual to fish without having license available for inspection or to refuse to exhibit license, with provision making it unlawful for an individual to fish without providing name and residence address upon the request of an inspector or other law enforcement officer. Provides that an inspector or other law enforcement officer may only verify the licensure of an individual fishing from a charterboat or headboat after the individual has disembarked. Requires that each individual on a charterboat or headboat purchase an SFL and that owner or operator of boat is not responsible for licensure. Changes types of SFLs that are available and fee for license as follows: (1) deletes special licenses for a "disabled individual," "disabled veteran," and the "legally blind;" (2) replaces "standard" license with one-year license ($15 fee) and establishes two-year ($30 fee) and three-year SFL ($45 fee); (3) replaces ten-day license with seven-day license ($1 fee); (4) establishes subsistence SFL valid for one year at no charge for individuals who fall below federal poverty level; (5) reduces to two number of lifetime SFLs available, setting fee at $150 when purchased by individual younger than 18 and $500 for those 18 and over. Deletes GS 113-174.2(d) exemptions from license requirement and replaces them with exemption for individuals 18 and younger who are making progress toward obtaining a high school diploma or its equivalent. Amends GS 113-169.2 to make it unlawful for commercial fishing operations (was, those taking shellfish by mechanical means) to take shellfish without shellfish license. Deletes GS 113-169.2(d) (requiring that individual taking shellfish have license available for inspection) and –169(i)(authorizing persons to take shellfish for personal use without a license). Enacts new GS 143B-289.52(h) prohibiting the disclosure of an SFL applicant's personal information by Dep't or Comm'n.

Amends GS 120-122 (vacancies in legislative appointments) to authorize Governor to fill a vacancy when the term of office expires and a successor has not been appointed, and to provide that for the purpose of that section when a person is holding over in office after the expiration of the term, the office may be filled as if it were vacant.

Makes technical changes.

Senate Comm. Amendment # 1 clarifies that only those engaged in fishing from a charterboat or headboat must have an SFL. Senate Comm. Amendment # 2 changes deadline for submission of SFL implementation plan to April 15, 2005 and clarifies that Board of Trustees members must have SFL at time of appointment when such licenses become available. Senate Comm. Amendment # 3 changes the source of $5 million appropriated to Fund from unreserved credit balance to General Fund.

H 951. CREATE CIVIL NO-CONTACT PROTECTIVE ORDERS. Intro. 4/8/03. Senate committee substitute makes the following changes to 2nd edition. Completely reorganizes act. Amends GS 50C-2(7) by deleting from definition of "unlawful conduct" attempting or causing bodily injury to victim and threatening to injure the victim. Amends GS 50C-2(8) by defining "victim" as a person against whom an act of unlawful conduct has been committed by another person not involved in a personal relationship with the victim. Amends GS 50C-4 by deleting listed exceptions to the rule that prior sexual activity is inadmissible, and providing that admissibility rules set forth GS 8C, Rule 412 apply. Replaces GS 50C-5(c)(delineating grounds for denial of civil no-contact order) with provision requiring that civil no-contact orders include the following notice in conspicuous type: "A knowing violation of a civil no-contact order shall be punishable as contempt of court which may result in a fine or imprisonment." Enacts new GS 50C-6(b) requiring that a temporary civil no-contact order (was, all civil no-contact orders) granted without notice shall be endorsed with the date and hour of issuance; be filed immediately in the clerk's office; define the injury, why it is irreparable, and why the order was granted without notice; provide for an expiration date not to exceed 10 days after entry; and give notice of hearing on temporary order. Amends GS 50C-12 to limit length of temporary no-contact order to 10 days (was, 14-21 days) unless extended for good cause shown. Deletes GS 50C-12(b)(1) – (3) establishing procedures for entry of civil no-contact order in conjunction with another civil proceeding. Enacts new GS 50C-9(c) requiring that all no-contact orders be issued promptly to police dep't where victim resides. Deletes GS 50C-16 (enforcement of orders). Makes technical changes. Changes effective date to Dec. 1, 2004 (was, Dec. 1, 2003).

H 1107. FORTIFY AGAINST UNAUTHORIZED INSURANCE (NEW). Intro. 4/10/03. Senate committee substitute adopted July 1, 2004 makes the following changes to 2nd edition. Replaces existing bill with completely new bill amending GS 58-33-95 to make any person or entity who sells or solicits insurance for an unauthorized insurer strictly liable (was, personally liable) for any losses or unpaid claims not otherwise paid by unauthorized insurer. Enacts new GS 58-33-95(a)(2) and (3), making such solicitations or sales a Class 1 misdemeanor where person or entity does not know that insurer is unauthorized, and a Class H felony if person or entity knew or should have known that insurer is unauthorized. Enacts new GS 58-33-95(b) providing that a civil action or license revocation proceeding may be initiated whether or not a criminal action is brought. Enacts new GS 58-33-46(a)(12a)

authorizing Comm'r of Insurance to suspend, revoke or refuse to renew an insurance license if a licensee solicits or sells insurance for an unauthorized insurer. Makes technical changes. Effective Dec. 1, 2004.

H 1139. RAPIST PARENTAL RIGHTS/OPEN CRIM. DISCOVERY (NEW). Intro. 4/10/2003. Senate committee substitute adopted July 1, 2004 makes the following changes to 2nd edition. Deletes new GS 15A-1013 pertaining to judicial approval for certain pleas. Amends GS 14-27.2 (first-degree rape), GS 14-27.3 (second-degree rape), and GS 14-27.7A (statutory rape or sexual offense of a person who is 13, 14, or 15 years old) by adding new subsections providing that upon conviction, a defendant has no right to custody of or inheritance from any child born as a result of the act, nor shall the defendant have any rights related to the child under GS Ch. 48 or GS Ch. 7B, Subchapter 1. Notwithstanding the above, a defendant who comes within the provisions of GS 48-3-601(2)a or –601(2)b.1 shall be entitled to petition for adoption of the child under GS Ch. 48. Amends GS 14-27.7A to provide that a defendant who is the child's biological father shall be entitled to petition for adoption. Amends GS 14-226 (intimidating or interfering with witnesses), making it a crime for a defendant in a criminal proceeding to threaten a witness in the defendant's case with the assertion or denial of parental rights. Amends GS 15A-902 (discovery procedure) to provide that a written discovery request is not required if the parties agree in writing to voluntarily comply with the provisions in GS Ch. 15A, Art. 48. Completely rewrites GS 15A-903 to provide that on the defendant's motion, the court must order the state to (1) make available the complete files of all law enforcement and prosecutorial agencies involved in the investigation and prosecution, (2) give notice of any expert witnesses that the state reasonably expects to call at trial and provide certain materials regarding these experts, and (3) give the defendant, at the beginning of jury selection, a written list of the names of all other witnesses whom the state reasonably expects to call, unless an exception applies. If the state voluntarily provides disclosure under GS 15A-902(a), the disclosure shall be to the same extent as required above. Amends GS 15A-904, delineating material that the state is not required to disclose. Adds a new GS 15A-905(c), providing that if the court grants any relief sought by the defendant under GS 15A-903 or if disclosure is voluntarily made by the state pursuant to GS 15A-902(a), the court must, on motion of the state, order the defendant to give notice of certain defenses, experts, and witnesses. Provides that if the defendant voluntarily provides discovery under GS 15A-902(a), the disclosure shall be the same as required by new GS 15A-903(c). Amends GS 15A-908, to allow parties to apply for *ex parte* protective orders, with notice if the order is granted. Amends GS 15A-910, providing that before allowing sanctions, the court must consider the materiality of the subject matter and the totality of the circumstances pertaining to the alleged failure to comply. Amends GS 15A-959 pertaining to the defendant's notice of intent to raise the insanity defense. Adds a new GS 15A-501(6), providing that arresting officers must make available to the state on a timely basis all materials and information acquired in the course of all felony investigations and that this responsibility is continuing. Makes and technical conforming changes. Sections pertaining to sexual assaults and intimidating witnesses are effective December 1, 2004 and apply to offenses committed on or after that date. Remaining sections become effective October 1, 2004 and apply to cases set for trial pursuant to GS 7A-49.4 on or after that date.

H 1139. RAPIST PARENTAL RIGHTS/OPEN CRIM. DISCOVERY. Intro. 4/10/2003. Senate amendment makes the following changes to 3rd edition. Makes clarifying changes to the time for the defendant's notice of defenses, as provided in new GS 15A-905(c).

H 1420. REGIONAL AGENCY DEBT SETOFF. Intro. 5/12/04. Senate amendment makes the following changes to 1st edition. Adds new section providing that except after consultation with the Joint Legislative Comm'n on Governmental Operations on its intent to expend or obligate funds, the NC Global TransPark Authority shall not expend or obligate any funds that were borrowed from the Escheat Fund pursuant to GS 63A-4(a)(22) and 147-69.2(b)(11), or any interest earned on these funds. Changes title accordingly.

LEGISLATION ENACTED

SL 2004-39 (H 224). CABARRUS ANNEXATIONS. *AN ACT TO ANNEX CERTAIN DESCRIBED TERRITORY TO THE CITY OF KANNAPOLIS, TO ANNEX CERTAIN DESCRIBED TERRITORY TO THE TOWN OF MOUNT PLEASANT, AND TO ANNEX CERTAIN DESCRIBED TERRITORY TO THE TOWN OF MIDLAND.* Summarized in *Daily Bulletin* 7/17/03, 7/19/03, 6/21/04, and 6/23/04. Enacted June 30, 2004. Effective June 30, 2004.

SL 2004-40 (H 1475). BADIN SATELLITE ANNEXATION. *AN ACT TO ANNEX THE ALBEMARLE CORRECTIONAL INSTITUTION TO THE TOWN OF BADIN.* Summarized in *Daily Bulletin* 5/17/04. Enacted June 30, 2004. Effective June 30, 2004.

SL 2004-41 (H 1484). CLEVELAND COUNTY BOARD OF EDUCATION ELECTIONS. *AN ACT TO CLARIFY THE SCHEDULE FOR ELECTION OF THE MERGED SCHOOL BOARD FOR CLEVELAND COUNTY, AS RECOMMENDED BY THE STATE BOARD OF ELECTIONS.* Summarized in *Daily Bulletin* 5/17/04. Enacted June 30, 2004. Effective June 30, 2004.

SL 2004-42 (H 1593). SWANSBORO ANNEXATION. *AN ACT TO ANNEX CERTAIN DESCRIBED PROPERTY TO THE TOWN OF SWANSBORO.* Summarized in *Daily Bulletin* 5/20/04. Enacted June 30, 2004. Effective June 30, 2004.

SL 2004-43 (H 1678). NORWOOD ANNEXATIONS. *AN ACT ADDING CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF NORWOOD.* Summarized in *Daily Bulletin* 5/26/04. Enacted June 30, 2004. Effective June 30, 2004.

SL 2004-44 (H 1684). VANCE FOX SEASONS. *AN ACT TO ESTABLISH SEASONS FOR HUNTING AND TRAPPING FOXES IN VANCE COUNTY.* Summarized in *Daily Bulletin* 5/27/04. Enacted June 30, 2004. Effective October 1, 2004.

SL 2004-45 (H 1722). CURRITUCK ABC BOARD MEMBERSHIP INCREASED. *AN ACT TO INCREASE THE MEMBERSHIP OF THE CURRITUCK ALCOHOLIC BEVERAGE CONTROL BOARD FROM THREE TO FIVE MEMBERS.* Summarized in *Daily Bulletin* 5/27/04. Enacted June 30, 2004. Effective June 30, 2004.

SL 2004-46 (H 1724). HARNETT AND PITT SUBDIVISIONS. *AN ACT RELATING TO THE DEFINITION OF SUBDIVISION IN HARNETT AND PITT COUNTIES.* Summarized in *Daily Bulletin* 5/27/04 and 6/17/04. Enacted June 30, 2004. Section pertaining to Harnett County is effective January 1, 2005. The remainder of this act is effective June 30, 2004.

SL 2004-47 (H 1732). SOUTHPORT WARD BOUNDARIES. *AN ACT TO CLARIFY THE WARD BOUNDARIES OF THE CITY OF SOUTHPORT TO REFLECT RECENT ANNEXATIONS.* Summarized in *Daily Bulletin* 5/27/04. Enacted June 30, 2004. Effective June 30, 2004.

SL 2004-48 (S 1219). DRY CLEANING SOLVENT CLEANUP ACT AMENDMENTS. *AN ACT TO INCREASE THE PERCENTAGE OF REVENUE CREDITED TO THE DRY-CLEANING SOLVENT CLEANUP FUND THAT MAY BE USED TO PAY COSTS OF ASSESSMENT OR REMEDIATION OF DRY-CLEANING SOLVENT CONTAMINATION THAT OCCURRED PRIOR TO 1 JULY 2001, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.* Summarized in *Daily Bulletin* 5/20/04. Enacted July 1, 2004. Effective July 1, 2004.

SL 2004-49 (S 1159). MILITARY AFFAIRS COMMISSION MEMBERSHIP. *AN ACT TO MODIFY THE MEMBERSHIP OF THE ADVISORY COMMISSION ON MILITARY AFFAIRS.* Summarized in *Daily Bulletin* 5/19/04 and 6/2/04. Enacted July 1, 2004. Effective July 1, 2004.

SL 2004-50 (H 1668). AMEND WILSON SUPPLEMENTAL RETIREMENT FUND. *AN ACT TO AMEND THE ACT ESTABLISHING THE SUPPLEMENTAL RETIREMENT FUND FOR FIREMEN IN THE CITY OF WILSON.* Summarized in *Daily Bulletin* 5/26/04. Enacted July 1, 2004. Effective July 1, 2004.

NEXT SESSIONS

July 7, 2004

HOUSE convenes at 2:00 p.m.

SENATE convenes at 2:00 p.m.

141
S:2004/33

Daily Bulletin

ACTIONS BY THE NORTH CAROLINA GENERAL ASSEMBLY

Institute *of* Government—School of Government
The University of North Carolina at Chapel Hill
Legislative Reporting Service, Box 7294 State Legislative Building, Raleigh, NC 27601
Phone 919.733.2484 Fax 919.715.3464

House Legislative Day 138 Vol. 2004, No. 33 Senate Legislative Day 140

Wednesday, July 7, 2004

N.C. DOCUMENTS CLEARINGHOUSE
JUL 19 2004
STATE LIBRARY OF NORTH CAROLINA RALEIGH

BILLS INTRODUCED TODAY

NONE

CALENDAR ACTION
July 7, 2004

NOTES
1. Amendments and committee substitutes adopted today are summarized in the following section of today's Daily Bulletin.
2. The dates on which previous amendments or committee substitutes were adopted are listed below bill numbers.
3. The action "Cal Pursuant Rule 36b" indicates that the bill has been reported by committee and is awaiting calendaring by the Rules Committee.
4. Enacted bills are indicated by #, failed bills by *.

PUBLIC BILLS

H0173 COSMETIC ART/CONTINUING ED/PENALTY CHANGE.	S REPTD FAV AS AMENDED
	SA COM AMEND ADPT & ENGROSS # 1
07-08-03, 07-09-03, 07-01-04, 07-07-04	
H0831 SALTWATER FISHING FUND/HOLDOVER APPOINTMENTS.	S AMEND FAILED # 1
	S PASSED 2ND & 3RD READING
05-20-03, 07-09-03, 07-17-03, 07-18-03, 07-19-03, 07-06-04	
H0918 INCREASE SERVICE OF PROCESS FEE.	H PRES. TO GOV. 7/7/2004
07-16-03, 06-24-04	
H0951 CREATE CIVIL NO-CONTACT PROTECTIVE ORDERS.	S PASSED 2ND & 3RD READING
04-30-03, 07-06-04	
H0964 FURNITURE REQUIREMENTS CONTRACTS.	H RATIFIED
06-24-04	
H0965 INCREASE PENALTIES FOR FAILURE TO YIELD.	S PASSED 3RD READING
04-29-03, 04-30-03, 06-30-04	
H1139 RAPIST PARENTAL RIGHTS/OPEN CRIM. DISCOVERY.	H REC TO CONCUR S COM SUB
	H REF TO COM ON JUDICIARY I
04-30-03, 07-01-04, 07-06-04	
H1152 CLARIFY DISCLOSURE MV TOTAL LOSS CLAIM.	SA AMEND ADOPTED # 1
	S PASSED 2ND & 3RD READING
	S ENGROSSED
05-01-03, 06-23-04, 07-07-04	

This publication is printed on permanent, acid-free paper in compliance with the North Carolina General Statutes.
Institute of Government—School of Government
The University of North Carolina at Chapel Hill

© 2004

H1343 MOPED ID TAGS.	HA	REPTD FAV COM SUBSTITUTE
	H	CAL PURSUANT RULE 36(B)
	H	PLACED ON CAL FOR 7/8/2004
07-07-04		
H1356 INCREASE FEES/QUALIFS. FOR DWI ASSESSMENTS.	S	REPTD FAV
	S	CONF COM REPORTED
	S	PLACED ON CAL FOR 7/8/2004
07-07-04		
H1359 DOT MINORITY/WOMEN BUSINESSES PROGRAM.	H	POSTPONED TO 7/8/2004
06-30-04		
H1370 WORKERS' COMP./TRUCKING.	H	REPTD FAV
	H	CAL PURSUANT RULE 36(B)
	H	PLACED ON CAL FOR 7/8/2004
H1394 8-YEAR DRIVERS LICENSE/INTERNET DL RENEWAL.	H	WITHDRAWN FROM CAL
	H	RE-REF COM ON TRANSPORTATION
06-30-04		
H1427 REC. SHELLFISH LICENSE/AMEND SHELLFISH LAWS.	HA	REPTD FAV COM SUBSTITUTE
	H	CAL PURSUANT RULE 36(B)
	H	PLACED ON CAL FOR 7/8/2004
06-29-04, 07-01-04, 07-07-04		
H1430 IRC UPDATE AND OTHER TAX CHANGES.	H	RATIFIED
05-27-04, 06-16-04		
H1453 DISCHARGING FIREARM ON SCHOOL PROPERTY.	S	REPTD FAV COM SUBSTITUTE
	SA	COM SUBSTITUTE ADOPTED
06-29-04, 07-07-04		
H1459 SBE/STUDY TEACHER PREP COURSES.	S	REPTD FAV
06-16-04		
H1463 HEALTH INSURANCE INNOVATIONS COMMISSION.	H	CONF COM APPOINTED
06-09-04, 06-10-04, 06-23-04, 06-28-04		
H1464 SCHOOL CALENDAR CHANGES.	H	WITHDRAWN FROM CAL
	H	RE-REF COM ON APPROPRIATIONS
07-01-04		
H1469 DHHS DISEASE MGMT ACTIVITIES.	H	RATIFIED
06-17-04		
H1513 INCREASE LOCAL GOV'T DEATH BENEFIT.	H	PASSED 2ND & 3RD READING
H1518 REQUIRE PAYMENT OF RESTITUTION FOR EXPUNCTION.	S	PASSED 3RD READING
06-30-04		
H1699 UNC NONAPPROPRIATED CAPITAL PROJECTS.	S	REPTD FAV
	S	RE-REF COM ON APPROPRIATIONS/ BASE BUDGET
H1723 CHARTER SCHOOL RETIREMENT ELECTION.	S	REPTD FAV COM SUBSTITUTE
	SA	COM SUBSTITUTE ADOPTED
	S	RE-REF COM ON PENSIONS & RETIREMENT AND AGING
06-23-04, 07-07-04		
H1795 MODIFY YOUTH FACILITY DEBT AUTHORIZATION.	S	REPTD FAV
06-23-04		
S0020 REGULATE PROFESSIONAL EMPLOYER ORGANIZATION.	HA	AMEND ADOPTED #1
	HA	AMEND ADOPTED #2
	H	PASSED 2ND READING
07-10-03, 06-28-04, 07-07-04		
S0230 REPEAL UCC ARTICLE ON BULK SALES.	H	CONF COM REPORTED
	H	PLACED ON CAL FOR 7/8/2004
03-25-03, 06-11-03, 07-07-04		
S0444 SCHOOL INFO/MENINGITIS AND FLU.	S	CONCURRED IN H/COM SUB
06-23-04, 06-24-04		

S0486 CUSTOMER INQUIRIES/INSURANCE COVERAGE.	S	RATIFIED
04-14-03, 06-03-04, 06-21-04		
S0732 NEW URBAN WATERFRONT DEVELOPMENT PILOT.	S	REC TO CONCUR H COM SUB
	S	PLACED ON CAL FOR 7/8/2004
06-29-04		
S0754 STOCK CAR RACING THEME SPECIAL PLATES.	H	PASSED 2ND READING
06-17-04		
S0848 VETERINARY BD. AGREEMENTS/IMPAIRED VETS.	HA	REPTD FAV COM SUBSTITUTE
	H	CAL PURSUANT RULE 36(B)
04-22-03, 07-07-04		
S0852 ORGAN DONOR ORG'S./ACCESS TO DMV RECORDS.	H	PLACED ON CAL FOR 7/8/2004
06-05-03, 07-15-03, 07-17-03, 07-01-04		
S0933 WETLANDS REIMBURSEMENT/LOCAL TAX BASE.	H	PLACED ON CAL FOR 7/8/2004
S0991 IMPROVE STATE IT EFFICIENCY & PROJ. MGM'T.	S	WITHDRAWN FROM CAL
	S	PLACED ON CAL FOR 7/8/2004
05-01-03, 07-01-04		
S1054 INCREASE METHAMPHETAMINE PENALTIES.	H	REC FROM SENATE
	H	REF TO COM ON JUDICIARY IV
05-27-04, 07-06-04		
S1058 UNC & COMM. COLL. TUITION/MILITARY STUDENTS.	S	REPTD FAV COM SUBSTITUTE
	SA	COM SUBSTITUTE ADOPTED
07-07-04		
S1063 ELIMINATE IRB WAGE STANDARD.	S	CONF COM APPOINTED
06-09-04, 06-21-04		
S1092 VA-NC INTERSTATE HIGH-SPEED RAIL COMPACT.	S	PRES. TO GOV. 7/7/2004
S1128 LOCKSMITH CRIMINAL HISTORY RECORD CHECK FEE.	H	PLACED ON CAL FOR 7/8/2004
05-27-04		
S1144 "IN GOD WE TRUST" SPECIAL PLATES.	H	PASSED 3RD READING
06-02-04		
S1145 REVENUE LAWS TECHNICAL CHANGES.	H	FISCAL NOTE ATTACHED
	H	PLACED ON CAL FOR 7/7/2004
	H	AMENDS RULED MATERIAL
	HA	AMEND ADOPTED #1
06-07-04, 06-28-04, 07-07-04		
S1148 CARE FOR THE MENTALLY ILL IN LTC FACILITIES.	H	PLACED ON CAL FOR 7/8/2004
06-02-04, 07-01-04		
S1167 CONDO AND PLANNED COMM. CLARIFICATIONS.	S	PRES. TO GOV. 7/7/2004
06-22-04		
S1171 MOTOR FUELS TAX CHANGES.	H	PASSED 2ND READING
06-09-04, 06-16-04, 06-30-04		
S1202 SEPTIC SYSTEM SETBACKS FOR PRE-1977 LOTS.	H	POSTPONED TO 7/14/2004
	H	WITHDRAWN FROM CAL
	H	PLACED ON CAL FOR 7/8/2004
06-29-04		
S1210 PHASE II STORMWATER MANAGEMENT-1.	H	REPTD FAV
	H	CAL PURSUANT RULE 36(B)
06-29-04, 06-30-04		
S1244 AMEND NC CEMETERY ACT/INCREASE FEES.	HA	REPTD FAV COM SUBSTITUTE
	H	CAL PURSUANT RULE 36(B)
	H	PLACED ON CAL FOR 7/8/2004
06-17-04, 07-07-04		
S1254 RESPIRATORY CARE BD/BACKGROUND CHECKS/ FEES.	H	PLACED ON CAL FOR 7/8/2004
06-03-04		

S1384 AMEND BARBERING LAWS.	H	PLACED ON CAL FOR 7/8/2004
06-17-04, 07-01-04		
#S1408 HON. GENERAL RUTHERFORD/RUTHERFORD COUNTY ANNIV.	S	RATIFIED
	SR	CH. RES 2004-9
S1431 REGISTRATION PLATES.	S	REPTD FAV COM SUBSTITUTE
	SA	COM SUBSTITUTE ADOPTED
07-07-04		
S1441 MEMORIALIZING RAY CHARLES.	S	REC TO CONCUR IN H AMEND
	S	PLACED ON CAL FOR 7/8/2004
07-06-04		
#S1444 MEM. DR. GIL WYLIE/LAKE WYLIE'S 100TH ANNIV.	S	RATIFIED
	SR	CH. RES 2004-10

LOCAL BILLS

H1348 CAMDEN COUNTY OCCUPANCY TAX.	H	PASSED 3RD READING
H1349 COLUMBUS/PITT FOX HUNTING/TRAPPING.	H	CONCURRED IN S/COM SUB
06-23-04, 06-30-04		
#H1369 EMERALD ISLE/MIDLAND ANNEXATION.	HR	CH. SL 2004-56
06-24-04		
#H1385 VARIOUS MUNICIPALITIES SATELLITE ANNEXATION.	HR	CH. SL 2004-57
06-03-04, 06-24-04		
H1422 MINT HILL - POLICE ALL-TERRAIN VEHICLES.	HA	AMEND ADOPTED #1
	H	PASSED 2ND READING
06-30-04, 07-07-04		
H1462 SEVEN DEVILS-REGULATE GOLF CARTS/UTIL. VEH.	H	RATIFIED
H1509 CABARRUS MEMORIAL HOSPITAL ADVANCED DEGREES.	S	REPTD FAV
H1529 MOORE SCHOOL BUSES/2005 US OPEN.	S	REPTD FAV
H1589 MONTGOMERY COMMISSIONER ELECTIONS.	H	RATIFIED
06-03-04		
H1613 CHOWAN/ANSON HUNTING LAWS.	H	RATIFIED
06-16-04		
H1614 LENOIR ABC PROFIT DISTRIBUTIONS TO BE ANNUAL.	H	RATIFIED
H1649 WAKE IMPAIRED HUNTING REGULATION.	S	REPTD FAV
06-24-04		
H1659 PERQUIMANS HUNTING STAND AMENDMENT.	H	RATIFIED
H1662 CHEROKEE/CLAY/SHOOTING FROM RIGHT-OF-WAY.	H	RATIFIED
06-16-04		
H1669 CLINTON CITY SCHOOLS PROPERTY TRANSFER.	S	REPTD FAV
H1674 ZEBULON CHARTER AMENDMENT.	H	RATIFIED
06-03-04		
H1688 CONCORD ANNEXATION EFFECTIVE DATE.	H	PASSED 2ND READING
H1700 DURHAM VEHICLE TAX SUNSET REPEALED/USES.	HA	REPTD FAV COM SUBSTITUTE
	H	CAL PURSUANT RULE 36(B)
	H	PLACED ON CAL FOR 7/8/2004
07-07-04		
H1721 CURRITUCK OCCUPANCY TAX CHANGES.	H	PASSED 3RD READING
06-10-04, 06-30-04		
H1726 WINSTON-SALEM/ROANOKE RAPIDS CODE ENFORCEMENT.	S	REPTD FAV
06-24-04		
H1728 LAKE ROYALE POLICE AUTHORITY.	H	CONCURRED IN S/COM SUB
06-24-04, 06-30-04		

H1737 WINSTON-SALEM/REIDSVILLE STRUCTURES.	S REPTD FAV COM SUBSTITUTE
	SA COM SUBSTITUTE ADOPTED
06-24-04, 07-07-04	
S1093 EDGECOMBE/WILSON TAX CERTIFICATION.	S REC TO CONCUR H COM SUB
	S PLACED ON CAL FOR 7/8/2004
05-25-04, 06-01-04, 07-01-04	
#S1178 ABOLISH WILKES COUNTY CORONER.	SR CH. SL 2004-51
S1181 MODIFY ALLEGHANY OCCUPANCY TAX .	S WITHDRAWN FROM CAL
	S PLACED ON CAL FOR 7/8/2004
06-02-04	
#S1201 ROBESON/NO HUNTING FROM ROADWAYS.	SR CH. SL 2004-52
06-23-04	
S1209 DURHAM HOUSING APPEALS BOARD.	H REPTD FAV
	H CAL PURSUANT RULE 36(B)
#S1233 PINEBLUFF UNOPENED TROLLEY EASEMENTS.	SR CH. SL 2004-53
S1265 ORANGE/CHATHAM BOUNDARY.	H PLACED ON CAL FOR 7/8/2004
06-24-04	
#S1277 MADISON TOWN ELECTION.	SR CH. SL 2004-54
06-10-04	
#S1279 M & M FIRE DISTRICT CONTRACTS.	SR CH. SL 2004-55
S1288 MOORESVILLE STREETS AND SIDEWALKS.	H WITHDRAWN FROM CAL
	H RE-REF COM ON RULES, CALENDAR, AND OPERATIONS OF THE HOUSE
S1305 ANGIER SATELLITE ANNEXATION.	H PLACED ON CAL FOR 7/8/2004
06-07-04, 07-01-04	
S1315 CABARRUS BOARD OF EQUALIZATION AND REVIEW.	HA REPTD FAV COM SUBSTITUTE
	H CAL PURSUANT RULE 36(B)
07-07-04	
S1355 GOLDSBORO NOTICE/ORDINANCE VIOLATION.	H REPTD FAV
	H CAL PURSUANT RULE 36(B)
S1356 GIBSONVILLE WHITSETT BOUNDARY.	H REPTD FAV
	H CAL PURSUANT RULE 36(B)
	H PLACED ON CAL FOR 7/8/2004
S1370 GOLDSBORO SURPLUS LOT DISPOSITION.	H REPTD FAV
	H CAL PURSUANT RULE 36(B)
06-16-04	

SUMMARIES OF AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

S 20. REGULATE PROFESSIONAL EMPLOYER ORGANIZATION. Intro. 2/10/03. House amendments make the following changes to 3rd edition. Make technical changes only.

S 230. REPEAL UCC ARTICLE ON BULK TRANSFERS. Intro. 2/26/03. Conference report recommends the following changes to 3rd edition to reconcile matters in controversy. Changes effective date to Jan. 1, 2005.

S 848. ADVANCED VEHICLE RESEARCH CENTER INCENTIVE (NEW). Intro. 4/03/04. House committee substitute makes the following changes to 2nd edition. (1) Changes title to *A BILL TO BE ENTITLED AN ACT TO PROVIDE A TAX INCENTIVE FOR AN ADVANCED VEHICLE RESEARCH CENTER IN NORTHAMPTON COUNTY.* (2) Deletes in its entirety proposed new GS 90-187.15 allowing the NC Veterinary Medical Board to contract with organizations offering programs for impaired veterinarians. (3) Amends Art. 3B of GS Ch. 105 by adding new section 105-129.16D, which provides that (a) that a taxpayer that contributes cash or property to an advanced vehicle research entity for construction or operation of same shall be allowed a tax credit equal to a percentage of the value of the contribution; (b) if the center is located in an enterprise tier one area, the amount of

the credit shall be 75% of the first $500,000 in value, 40% of the next $500,000, and 25% of the remaining value of the contribution; (c) if the center is not located in an enterprise tier one area, the amount of the credit shall be 25% of the value of the contribution; (d) the total amount of all tax credits allowed to all taxpayers for contributions made in a calendar year may not exceed $5,000,000, and if the total amount exceeds $5,000,000, the Sec'y of Revenue must allocate tax credits proportionately to the size of the credit requested by each taxpayer; and (e) if the recipient of the contribution uses a taxpayer's contribution for any purpose other than construction or operation of an advanced vehicle research center, the taxpayer shall forfeit the requested tax credit and owe taxes with interest. Effective for taxable years beginning on or after Jan. 1, 2004, and applies to contributions made on or after July 1, 2004.

S 1058. UNC & COMM. COLL. TUITION/MILITARY STUDENTS. Intro. 05/13/04. Senate committee substitute makes the following changes to 1st edition. Changes proposed amendment of GS 116-143.3(b) to provide that active duty personnel reassigned outside of North Carolina shall continue to be eligible for in-state tuition rate and fees for as long as that person is continuously enrolled in the same academic program. Changes proposed amendment of GS 116-143.3(c) providing that dependents of active duty personnel reassigned outside of North Carolina shall continue to be eligible for in-state tuition rate and fees for as long as the dependent is continuously enrolled in the same academic program.

S 1145. REVENUE LAWS TECHNICAL CHANGES. Intro. 5/18/04. House amendment makes the following changes to 3rd edition. Amends GS 105-130.46(b)(1) definition of "employment level" to provide that a job is included in the employment level only if it is located within the state for more than six months of the year. Makes technical changes.

S 1244. NC CEMETERY ACT/FEES/BILL LEE TIERS (NEW). Intro. 5/24/04. House committee substitute makes the following changes to 2nd edition. Adds new sec. 10, identical to H 1417 introduced 5/12/04.

S 1315. CABARRUS BOARD OF EQUALIZATION AND REVIEW. Intro. 05/25/04. House committee substitute makes the following changes to 1st edition. Repeals SL 2000-92, which authorized the Cabarrus Board of Equalization and Review to meet after its formal adjournment.

S 1431. REGISTRATION PLATES. Intro. 05/27/04. Senate committee substitute makes the following changes to 1st edition. (1) Changes title to *AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE FIRST IN FLIGHT REGISTRATION PLATES TO THE DEPARTMENT OF DEFENSE.* (2) Deletes proposed new GS 20-79.02, authorizing issuance of registration plates that may be moved from vehicle to vehicle to the Dep't of Defense. (3) Amends GS 20-39.1 by adding new subsection (g1) containing provisions of former proposed GS 20-79.2. (4) Changes effective date to Sept. 1, 2004.

HOUSE BILLS

H 173. COSMETIC ART/CONTINUING ED/PENALTY CHANGE. Intro. 3/3/03. Senate amendment makes the following change to 4th edition. Makes technical change only.

H 1343. MOPED ID TAGS. Intro. 05/10/04. House committee substitute makes the following changes to 1st edition. Changes title to *AN ACT TO REQUIRE MOPED IDENTIFICATION TAGS, TO AUTHORIZE THE ESTABLISHMENT OF A PRIVATE MOPED REGISTRATION SYSTEM, TO AUTHORIZE MOPED DEALERS TO CHARGE A ONE-TIME FEE TO PURCHASERS OF NEW AND USED MOPEDS, AND TO ESTABLISH A PENALTY FOR FAILURE TO COMPLY WITH THE REGISTRATION OR DISPLAY REQUIREMENTS.* Makes the following changes to proposed new GS 20-71.6:(1) provides that the amount of the one-time identification tag fee shall be established by the NC Motorcycle Dealers Ass'n and that the tag fees collected by moped dealers shall be remitted to the NC Motorcycle Dealers Ass'n; (2) provides that the NC Motorcycle Dealers Ass'n shall use the collected tag fees to develop a permanent tag and a moped registration system, which shall be accessible only to law enforcement and to moped dealers; (3) changes the penalty for a moped dealer's failure to attach a tag to a moped and for a moped operator's failure to register the vehicle or to display a tag from conviction of a Class 3 misdemeanor to payment of $25.00 plus court costs of $50.00 without criminal conviction; and (4) changes the effective date to Jan. 1, 2005.

H 1422. MINT HILL/KINGS MOUNTAIN - POLICE ALL-TERRAIN VEHICLES (NEW). Intro. 5/13/04. House amendment makes the following changes to 2nd edition. Adds municipal employees and law enforcement officers of the City of Kings Mountain to those who are authorized to operate all-terrain vehicles on highways under specific circumstances.

H 1427. AMEND SHELLFISH LAWS (NEW). Intro. 5/13/04. House committee substitute makes the following changes to 3rd edition. Deletes new GS Ch. 113, Art. 14A, which established a Recreational Shellfish License. Deletes conforming amendments to GS 113-168, -168.1(f), and -169.2. Reinstates GS 113-173(j)(4).

H 1453. DISCHARGING FIREARM ON SCHOOL PROPERTY. Intro. 5/17/04. Senate committee substitute makes the following changes to 2nd edition. Amends GS 14-269.2(g)(4) to authorize school authorities to allow weapons used for hunting purposes on educational property (was, property owned by Johnston Community College only).

H 1700. DURHAM VEHICLE TAX SUNSET EXTENDED/USES (NEW). Intro. 5/27/04. House committee substitute makes the following changes to 1st edition. Amends SL 2003-329, Sec. 4, to extend the sunset on the Durham City additional municipal vehicle tax for five years (was, repealed the sunset).

H 1723. CHARTER SCHOOL RETIREMENT ELECTION. Intro. 5/27/04. Senate committee substitute makes the following changes to 2nd edition. Adds Magellan Charter School in Raleigh and Healthy Start Academy in Durham to list of charter schools that may elect to participate in the Teachers' and State Employees' Retirement System and the NC Teachers' and State Employees' Major Medical Plan. Makes technical changes.

H 1737. WINSTON-SALEM/REIDSVILLE STRUCTURES. Intro. 5/27/04. Senate committee substitute makes the following changes to 2nd edition. Makes technical changes only.

LEGISLATION ENACTED

SL 2004-51 (S 1178). ABOLISH WILKES COUNTY CORONER. *AN ACT ABOLISHING THE OFFICE OF CORONER IN WILKES COUNTY.* Summarized in *Daily Bulletin* 5/20/04. Enacted July 6, 2004. Effective upon the expiration of the term of the current coroner.

SL 2004-52 (S 1201). ROBESON/NO HUNTING FROM ROADWAYS. *AN ACT TO PROHIBIT HUNTING FROM THE RIGHT-OF-WAY IN ROBESON COUNTY.* Summarized in *Daily Bulletin* 5/20/04 and 6/23/04. Enacted July 6, 2004. Effective October 1, 2004.

SL 2004-53 (S 1233). PINEBLUFF UNOPENED TROLLEY EASEMENTS. *AN ACT TO AUTHORIZE THE TOWN OF PINEBLUFF TO CONVEY TO ADJACENT PROPERTY OWNERS TROLLEY EASEMENTS AT PRIVATE NEGOTIATED SALE.* Summarized in *Daily Bulletin* 5/24/04. Enacted July 6, 2004. Effective July 6, 2004.

SL 2004-54 (S 1277). MADISON TOWN ELECTION. *AN ACT PROVIDING FOR STAGGERED TERMS FOR THE TOWN BOARD OF THE TOWN OF MADISON.* Summarized in *Daily Bulletin* 5/24/04 and 6/10/04. Enacted July 6, 2004. Effective beginning with the 2005 municipal election.

SL 2004-55 (S 1279). M & M FIRE DISTRICT CONTRACTS. *AN ACT TO ALLOW THE ROCKINGHAM COUNTY BOARD OF COMMISSIONERS TO CONTRACT WITH BOTH THE TOWN OF MAYODAN FIRE DEPARTMENT AND THE TOWN OF MADISON FIRE DEPARTMENT TO PROVIDE FIRE PROTECTION SERVICES IN THE M & M FIRE DISTRICT.* Summarized in *Daily Bulletin* 5/24/04. Enacted July 6, 2004. Effective July 6, 2004.

SL 2004-56 (H 1369). EMERALD ISLE/MIDLAND ANNEXATION. *AN ACT TO PROVIDE THAT THE WESTERN BOUNDARY OF THE TOWN OF EMERALD ISLE EXTENDS TO THE BOGUE INLET CHANNEL AS IT FLUCTUATES OVER TIME TO ALLOW ALL UPLAND AREAS CONNECTED TO BOGUE BANKS ON THE WESTERN END OF THE ISLAND TO BE IN THE TOWN LIMITS AND TO ANNEX CERTAIN DESCRIBED TERRITORY INTO THE TOWN OF MIDLAND.* Summarized in *Daily Bulletin* 5/11/04 and 6/24/04. Enacted July 6, 2004. Effective July 6, 2004.

H1112 AMEND ENVIRONMENTAL LAWS-2.	S REPTD FAV COM SUBSTITUTE
	SA COM SUBSTITUTE ADOPTED
	S RE-REF COM ON FINANCE
06-18-03, 06-19-03, 07-08-04	
H1152 CLARIFY DISCLOSURE MV TOTAL LOSS CLAIM.	H REC TO CONCUR S COM SUB
	H REF TO COM ON RULES, CALENDAR, AND OPERATIONS OF THE HOUSE
05-01-03, 06-23-04, 07-07-04	
H1264 REGULATORY FEES.	S AMEND TABLED # 1
	S PASSED 2ND READING
06-10-04, 07-07-04	
H1343 MOPED ID TAGS.	H PASSED 2ND READING
07-07-04	
H1354 STRENGTHEN DOMESTIC VIOLENCE LAWS.	S REPTD FAV COM SUBSTITUTE
	SA COM SUBSTITUTE ADOPTED
	S RE-REF COM ON FINANCE
06-16-04, 06-17-04, 06-21-04, 07-08-04	
H1356 INCREASE FEES/QUALIFS. FOR DWI ASSESSMENTS.	S PASSED 2ND READING
H1359 DOT MINORITY/WOMEN BUSINESSES PROGRAM.	H WITHDRAWN FROM CAL
	H RE-REF COM ON TRANSPORTATION
06-30-04	
H1370 WORKERS' COMP./TRUCKING.	H PASSED 2ND & 3RD READING
H1427 AMEND SHELLFISH LAWS.	HA AMEND ADOPTED #1
	H PASSED 2ND READING
06-29-04, 07-01-04, 07-07-04, 07-08-04	
H1430 IRC UPDATE AND OTHER TAX CHANGES.	H PRES. TO GOV. 7/8/2004
05-27-04, 06-16-04	
H1449 APA TECHNICAL/CLARIFYING CHANGES.	S REPTD FAV COM SUBSTITUTE
	SA COM SUBSTITUTE ADOPTED
06-15-04, 06-30-04, 07-08-04	
H1453 DISCHARGING FIREARM ON SCHOOL PROPERTY.	S PASSED 2ND READING
06-29-04, 07-07-04	
H1459 SBE/STUDY TEACHER PREP COURSES.	S PASSED 2ND & 3RD READING
	H RATIFIED
	H PRES. TO GOV. 7/8/2004
06-16-04	
H1464 SCHOOL CALENDAR CHANGES.	H REPTD FAV
	H CAL PURSUANT RULE 36(B)
07-01-04	
H1469 DHHS DISEASE MGMT ACTIVITIES.	H PRES. TO GOV. 7/8/2004
06-17-04	
H1513 INCREASE LOCAL GOV'T DEATH BENEFIT.	S REPTD FAV
H1518 REQUIRE PAYMENT OF RESTITUTION FOR EXPUNCTION.	H REC TO CONCUR S COM SUB
	H CAL PURSUANT RULE 36(B)
06-30-04	
H1624 INCREASE RETIREES' CONTRIBUTORY DEATH BENEFIT.	S REPTD FAV
H1795 MODIFY YOUTH FACILITY DEBT AUTHORIZATION.	S PASSED 2ND READING
06-23-04	
H1807 HONORING FOUNDERS OF DUKE POWER.	S WITHDRAWN FROM COMM
	S PLACED ON CAL FOR 7/9/2004
S0006 INCREASE REGULATION OF AMUSEMENT DEVICES.	HA REPTD FAV COM SUBSTITUTE
	H CAL PURSUANT RULE 36(B)
04-17-03, 06-30-04, 07-08-04	

S0020 REGULATE PROFESSIONAL EMPLOYER ORGANIZATION. 07-10-03, 06-28-04, 07-07-04	H	POSTPONED TO 7/12/2004
S0230 REPEAL UCC ARTICLE ON BULK SALES. 03-25-03, 06-11-03, 07-07-04	SA HA	CONF REPORT ADOPTED CONF REPORT ADOPTED
S0444 SCHOOL INFO/MENINGITIS AND FLU. 06-23-04, 06-24-04	S	RATIFIED
S0464 MANAGING DEBT CAPACITY. 07-15-03, 07-16-03, 06-16-04, 07-08-04	HA H	REPTD FAV COM SUBSTITUTE CAL PURSUANT RULE 36(B)
S0470 COMPENSATION OF TRUSTEES/OTHER FIDUCIARIES. 04-14-03, 06-30-04	H	PASSED 2ND & 3RD READING
S0732 NEW URBAN WATERFRONT DEVELOPMENT PILOT. 06-29-04	S S S	CONCURRED IN H/COM SUB RATIFIED PRES. TO GOV. 7/8/2004
S0754 STOCK CAR RACING THEME SPECIAL PLATES. 06-17-04	H	POSTPONED TO 7/9/2004
S0852 ORGAN DONOR ORG'S./ACCESS TO DMV RECORDS. 06-05-03, 07-15-03, 07-17-03, 07-01-04	H	PASSED 2ND READING
S0868 ASSAULT IN THE PRESENCE OF A CHILD. 04-24-03, 07-08-04	HA H	REPTD FAV COM SUBSTITUTE CAL PURSUANT RULE 36(B)
S0916 PREVENT PERSONAL AND WORKPLACE VIOLENCE. 04-29-03, 04-30-03, 07-08-04	HA H	REPTD FAV COM SUBSTITUTE CAL PURSUANT RULE 36(B)
S0933 WETLANDS REIMBURSEMENT/LOCAL TAX BASE.	H H	PASSED 2ND READING PASSED 3RD READING
S0991 IMPROVE STATE IT EFFICIENCY & PROJ. MGM'T. 05-01-03, 07-01-04	S S	WITHDRAWN FROM CAL PLACED ON CAL FOR 7/13/2004
S1043 AGGREGATE TRUCK WEIGHT LIMITS. 06-24-04, 06-30-04	H	POSTPONED TO 7/9/2004
S1058 UNC & COMM. COLL. TUITION/MILITARY STUDENTS. 07-07-04	S H H	PASSED 2ND & 3RD READING REC TO CONCUR S COM SUB REF TO COM ON APPROPRIATIONS
S1063 ELIMINATE IRB WAGE STANDARD. 06-09-04, 06-21-04	H	CONF COM APPOINTED
S1078 VEHICLE CONTROL SIGNS AND SIGNALS. 06-07-04	H	PASSED 2ND READING
S1083 STAGGERED PLATES/SAFETY INSPECTION CHANGE. 06-30-04	H H	REPTD FAV CAL PURSUANT RULE 36(B)
S1118 SPECIAL LICENSE PLATES. 06-03-04, 06-28-04	H	PASSED 3RD READING
S1128 LOCKSMITH CRIMINAL HISTORY RECORD CHECK FEE. 05-27-04	H	PASSED 2ND READING
S1144 "IN GOD WE TRUST" SPECIAL PLATES. 06-02-04	S	RATIFIED
S1145 REVENUE LAWS TECHNICAL CHANGES. 06-07-04, 06-28-04, 07-07-04	H	PASSED 2ND READING
S1148 CARE FOR THE MENTALLY ILL IN LTC FACILITIES. 06-02-04, 07-01-04	H	POSTPONED TO 7/12/2004

S1171 MOTOR FUELS TAX CHANGES.	H	POSTPONED TO 7/9/2004
06-09-04, 06-16-04, 06-30-04		
S1202 SEPTIC SYSTEM SETBACKS FOR PRE-1977 LOTS.	H	PASSED 3RD READING
06-29-04		
S1218 CHILD RESTRAINT SYSTEMS MODIFIED.	H	PASSED 2ND READING
06-23-04, 06-30-04		
S1244 NC CEMETERY ACT/FEES/BILL LEE TIERS.	H	PASSED 2ND READING
06-17-04, 07-07-04		
S1254 RESPIRATORY CARE BD/BACKGROUND CHECKS/ FEES.	H	PASSED 2ND READING
06-03-04		
S1312 LOCAL GOV'T EMPLOYEES/457 PLAN.	H	PASSED 2ND & 3RD READING
06-02-04, 06-23-04		
S1384 AMEND BARBERING LAWS.	H	PASSED 2ND & 3RD READING
06-17-04, 07-01-04		
S1431 REGISTRATION PLATES.	S	PASSED 2ND & 3RD READING
	H	REC FROM SENATE
	H	REF TO COM ON FINANCE
07-07-04		
S1441 MEMORIALIZING RAY CHARLES.	S	CONCURRED IN H AMEND # 1
07-06-04		

LOCAL BILLS

H0142 SUNSET BEACH EROSION CONTROL.	S	PASSED 2ND READING
07-07-04		
H1349 COLUMBUS/PITT FOX HUNTING/TRAPPING.	H	RATIFIED
06-23-04, 06-30-04		
H1422 MINT HILL/KINGS MOUNTAIN/ALL-TERRAIN VEHICLES.	H	PASSED 3RD READING
06-30-04, 07-07-04		
H1509 CABARRUS MEMORIAL HOSPITAL ADVANCED DEGREES.	S	PASSED 2ND & 3RD READING
	H	RATIFIED
H1529 MOORE SCHOOL BUSES/2005 US OPEN.	S	PASSED 2ND & 3RD READING
	H	RATIFIED
H1649 WAKE IMPAIRED HUNTING REGULATION.	S	WITHDRAWN FROM CAL
	S	PLACED ON CAL FOR 7/9/2004
06-24-04		
H1669 CLINTON CITY SCHOOLS PROPERTY TRANSFER.	S	PASSED 2ND & 3RD READING
	H	RATIFIED
H1688 CONCORD ANNEXATION EFFECTIVE DATE.	H	PASSED 3RD READING
H1700 DURHAM VEHICLE TAX SUNSET EXTENDED/USES.	H	PASSED 2ND READING
07-07-04		
H1726 WINSTON-SALEM/ROANOKE RAPIDS CODE ENFORCEMENT.	S	PASSED 2ND & 3RD READING
	H	RATIFIED
06-24-04		
H1728 LAKE ROYALE POLICE AUTHORITY.	H	RATIFIED
06-24-04, 06-30-04		
H1737 WINSTON-SALEM/REIDSVILLE STRUCTURES.	S	PASSED 2ND & 3RD READING
	H	REC TO CONCUR S COM SUB
	H	CAL PURSUANT RULE 36(B)
06-24-04, 07-07-04		
S1093 EDGECOMBE/WILSON TAX CERTIFICATION.	S	CONCURRED IN H AMEND # 1
	S	RATIFIED
05-25-04, 06-01-04, 07-01-04		

S1181 MODIFY ALLEGHANY OCCUPANCY TAX .	S	PASSED 3RD READING
	H	REC TO CONCUR S COM SUB
	H	REF TO COM ON FINANCE
06-02-04		
S1265 ORANGE/CHATHAM BOUNDARY.	H	PASSED 2ND READING
06-24-04		
S1305 ANGIER SATELLITE ANNEXATION.	H	PASSED 2ND READING
06-07-04, 07-01-04		
S1356 GIBSONVILLE WHITSETT BOUNDARY.	H	PASSED 2ND READING

SUMMARIES OF AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

S 6. STRENGTHEN LAW ENFORCEMENT VS. VIDEO POKER (NEW). Intro. 2/10/03. House committee substitute makes the following changes to 3rd edition. Amends GS 14-306.1(i) and (i1) to require the state to send annual reports to each county's sheriff describing the number of video gaming machines in the county and to notify appropriate sheriffs when machines are relocated. Reinstates GS 14-306.1(j) which was deleted in the 3rd edition. Modifies the date for mandatory registration and payment of fees from Oct. 1, 2004, to Dec. 1, 2004. Adds new GS 14-298(c), which provides that the court may release the machine to law enforcement officers if the machine was either unlawfully possessed or unlawfully used with the knowledge of the owner. Requires the Division of Alcohol Law Enforcement of the Department of Crime Control and Public Safety to submit a report to the General Assembly regarding the implementation of the law. Provides that the illegal video gaming machine tax applies to machines possessed on or after Dec. 1, 2004 (was Oct. 1, 2004). Makes technical changes.

S 464. NRA SPECIAL PLATE (NEW). Intro. 3/20/03. House committee substitute deletes all provisions of 4th edition and replaces it with *AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE A NATIONAL RIFLE ASSOCIATION SPECIAL REGISTRATION PLATE.* As title indicates.

S 868. CONSUMER'S RIGHT TO KNOW AND ACT/QBI CREDIT (NEW). Intro. 4/3/03. House committee substitute makes the following changes to 2nd edition. Deletes all provisions of 2nd edition. Prohibits all entities subject to GS Ch. 143, Art. 3 from contracting with certain foreign vendors for telemarketing services and telephone center services and requires vendors submitting bids or contracts for services to the state to submit a certification to that effect. Voids any existing contract that violates the new prohibition but allows a voided contract to remain in effect for a limited period of time. Adds new Art. 41 to Ch. 66 establishing certain rights for customers receiving calls from or placing calls to customer call centers. Willful violations constitute an unfair or deceptive trade practice. Increases the total amount of all qualified business investment tax credits allowed under GS 105-163.011 to $7 million (was $6 million) and changes the sunset provision for the credit from 2007 to 2008. Provisions related to contracting with call centers applies to contracts entered into on or after Oct. 1, 2004. Provisions establishing customer rights are effective Oct. 1, 2004. Provisions related to the qualified business investment tax credit apply to investments made on or after Jan. 1, 2004.

S 916. PREVENT WORKPLACE VIOLENCE (NEW). Intro. 4/3/03. House committee substitute makes the following changes to 3rd edition. Deletes new GS 50C and transfers act's provisions to new GS Ch. 95, Art. 23. and makes the following amendments to the following sections. Definitions. Deletes definitions of "abuse," "nonconsensual," "sexual conduct," "sexual penetration," "stalking," and "victim" and amends definition of "unlawful conduct" by deleting references to nonconsensual sexual conduct and stalking and by adding to definition of unlawful conduct willfully harassing an employee that places employee in reasonable fear of employee's safety. Civil no-contact orders; persons protected. Deletes provision requiring that petition for no-contact order be filed in civil district court by the victim or victim's representative. Commencement of action. Deletes provision regarding filing fees and simplified forms and provides that action may be commenced by filing a verified complaint or motion in any existing civil action. Civil no-contact order; remedy. Deletes provisions concerning grounds for denial of a remedy and monetary damages and adds provision requiring that order include the following notice: "A knowing violation of a civil no-contact order shall be punishable as contempt of court which may result in a fine or imprisonment." Temporary civil no-contact order; court holidays and evenings. Amends provision to require that a temporary civil no-contact order granted without notice contain certain listed

notice to the respondent. Duration; extension of orders. Amends subsection to limit length of temporary no-contact order to 10 days (was, 14 –21 days) unless extended for good cause. Further adds requirement that if a temporary order is granted without notice and a motion for a permanent order is made, the court shall set a hearing on motion at earliest possible date. Deletes procedure for entry of civil no-contact order in conjunction with another civil proceeding. Violation. Deletes requirement that violation be "knowing." Deletes sections on Pleadings, Venue, Hearsay, Contents of orders, Enforcement of orders, and Limits on liability. Enacts new GS 95-270 making it unlawful for any employer to take an adverse employment action against employee for absences needed to obtain relief under Ch. 50B. Makes technical changes. Effective Dec. 1, 2004 (was, Dec. 1, 2003).

HOUSE BILLS

H 142. DARE LOCAL OPTION TAX MENU (NEW). Intro. 2/27/03. Senate committee substitute adopted 7/7/04 makes the following changes to 1st edition. Changes title to read *AN ACT TO AUTHORIZE DARE COUNTY TO LEVY AN ADDITIONAL ONE-HALF PERCENT SALES AND USE TAX, A PRIVILEGE TAX ON PROVIDERS OF TRANSIENT ACCOMMODATIONS, AN ADDITIONAL ONE PERCENT PREPARED FOOD AND BEVERAGES TAX, AND A ROOM TAX, THE PROCEEDS OF ALL OF WHICH SHALL BE USED FOR BEACH RENOURISHMENT.* As title indicates.

H 1083. WATER CONSERVATION/SUBMETERS (NEW). Intro. 4/10/03. Senate committee substitute makes the following changes to 1st edition. Replaces existing bill with completely new bill that is similar to S 1221 introduced 5/20/04, except makes the following changes. Amends GS 42-3 to delete provision that makes tenant's failure to pay for services within 25 days after a bill for water and sewer services is sent a forfeiture of lease terms. Reinstates GS 42-26(b) and amends subsection to require that arrearages shall be applied to the rent and then to water or sewer charges, unless otherwise designated by tenant. Deletes amendments to GS 43-33. Enacts new GS 42-42(a)(6) to require that landlord who is charging for cost of water or sewer service inform tenant if landlord becomes aware that water being supplied to leased property exceeds a maximum contaminant level. Deletes GS 42-42.1(b) – (d). Amends GS 42-42.1(a) to authorize landlord to charge tenants who occupy the same contiguous premises for the cost of providing water and sewer service (was, providing method of calculating tenant's cost). Amends GS 42-46(d) to delete provision authorizing landlord to charge a late fee of up to $5 per month for water and sewer costs due if agreed to in rental agreement. Deletes provision in GS 62-110(g) that NC Utilities Comm'n shall not have jurisdiction over the allocation of water and sewer costs by landlords to tenants and replaces it with amendments which set forth detailed standards governing landlord charges for water and sewer service, including a requirement that landlords obtain permission from Comm'n to charge for such services and guidelines for the rate to be charged tenants. Enacts new GS 130A-315(e) and (f) allocating responsibility for contamination when a public water system supplies water to a water system not subject to Art. Rescinds Utilities Comm'n Rule R18-11 through 18-17 and reinstates former rules R 18-1 through 18-7. Makes technical changes. Effective August 1, 2004 (was, July 1, 2004).

H 1112. PHOSPHORUS NUTRIENT MGT./ANIMAL FEEDLOTS (NEW). Intro. 4/10/03. Senate committee substitute makes the following changes to 3rd edition. Deletes all provisions of third edition. Amends the definition of "animal operation" in GS 143-215.10B to include agricultural feedlots with liquid animal waste management systems that discharge to surface waters. Requires owners and operators of animal waste management systems for dry litter poultry facilities regulated by the federal government (under 40 CFR 122.23) to obtain state permits. Requires owners and operators to submit permit applications by a certain date. Conforms the pollution prevention requirements in GS 143-215.10C to federal law related to pollution resulting from storm events. Requires animal waste management plans for dry litter poultry facilities subject to 40 CFR 122.23 and provides that phosphorus may be a rate-determining element with respect to such plans. Requires dry litter poultry facilities not subject to 40 CFR 122.23 to comply with more limited requirements with respect to waste management plans. Amends GS 143-215.10G to establish annual permit fees for dry litter poultry facilities. Establishes deadlines for animal operations and dry litter poultry facilities to apply for permits. Provides direction to the Environmental Management Comm'n regarding the assessment of civil penalties against owners and operators of certain dry litter poultry facilities. Makes technical changes.

H 1152. CLARIFY DISCLOSURE MV TOTAL LOSS CLAIM. Intro. 4/10/03. Senate amendment adopted 7/7/04 makes the following change to 3rd edition. Amends GS 20-71.3(a1)(1) to require that title also be marked total loss claim vehicle (was, registration card only).

H 1264. FINANCE HEALTH AND RESEARCH BLDGS. (NEW). Intro. 4/29/03. Senate committee substitute adopted 7/7/04 makes the following changes to 2nd edition. Replaces existing bill with completely new bill. Sections 1 and 2 are substantially identical to the 4th edition of S 1098, introduced 5/17/04, except authorizes special indebtedness of $10,000 for land acquisition and planning for a Bioinformatics Center at UNC-Charlotte (was, $35 million for construction); $3.3 million for renovations and an addition to an existing building and $10 million for land acquisition and planning for a stand-alone facility and interim facilities to house the Pharmacy School program at ECSU (was, $28 million); and $10 million for land acquisition and planning for the NC Center for Health and Aging, to be operated as a consortium among UNC-Asheville, WCU, and the Mountain Area Health Education Consortium (was, $35 million for construction of a Center for Health Promotion and Partnerships at UNC-Asheville). Requires that projects receive approval from the Board of Governors of UNC before indebtedness is issued. Sec. 3 is substantially identical to the 4th edition of S 464, introduced 3/20/03, except increases appointed membership of Debt Affordability Advisory Comm. to four (was, two).

Enacts new Sec. 4 requiring that the Board of Governors, in collaboration with the State Board of Community Colleges, contract with a private consulting firm to conduct a comprehensive study of the mission and educational program needs of the UNC and Community College Systems, final report and recommendations to be submitted to the General Assembly by Dec. 31, 2005. Requires that study place special emphasis on the development of signature programs for Historically Black Colleges and Universities, acknowledge the importance of a strong liberal arts education foundation, and place emphasis on programs aimed at meeting the needs of the state's changing economy. Further requires that the Jt. Legis. Education Oversight Comm. create a higher education programming subcommittee to monitor the study.

H 1354. STRENGTHEN DOMESTIC VIOLENCE LAWS. Intro. 5/11/04. Senate committee substitute makes the following changes to 4th edition. Deletes appropriation of $2 million to the Domestic Violence Center Fund. Amends GS 14-33.2 (habitual misdemeanor) to require that in order to be counted, additional convictions must have occurred within 15 years prior to the date of the current violation. Deletes amendments to GS 15A-1343.2. Amends GS 50B-5.5(a) to prohibit employers from taking 'tangible job action' (was, listed certain job actions) against employee for absences required to obtain relief under Ch. Further amends subsection to require that employee follow employer's usual time-off policy and to authorize employer to request documentation of any emergency that prevented employee from providing advance notice of absence only if such advance notice was required by employer's policy (was, required that employee request time off in writing and provide documentation of the reason for absence, regardless of employer's general absence policy). Enacts new GS 50B-5.5(b) providing that fact that tangible job action took place after employee's protected activity does not prove a violation of sec. Enacts new GS 50B-5.5(c) requiring that the Comm'r of Labor enforce provisions of GS 50B-5.5. Makes technical changes.

H 1427. AMEND SHELLFISH LAWS. Intro. 5/13/04. House amendment makes the following changes to 4th edition. Restores language in original GS 113-202(j) to provide that water column leases for aquaculture expire in July following of the tenth anniversary of the lease. The 4th edition modified the language to provide for expiration in July following the fifth anniversary.

H 1449. APA TECHNICAL/CLARIFYING CHANGES. Intro. 5/17/04. Senate committee substitute makes the following changes to 3rd edition. Authorizes an agency to specify an effective date for a rule that is later than the effective date established in GS 150B-21.3(b). Amends GS 150B-21.3(b2) to incorporate additional procedures in the event that 10 or more objections are submitted with respect to an agency rule. Requires the Rules Review Commission to notify the agency regarding the possibility of legislative disapproval. Authorizes an agency that has issued a group of rules to submit a written statement indicating that those rules in the group not subject to legislative disapproval will become effective. Modifies new GS 150B-33(b)(12) related to the authority of an administrative law judge to accept remands from an agency by adding an exception for cases in which the ALJ has granted a judgment on the pleadings.

LEGISLATION ENACTED

The following bills were previously reported with incorrect effective and/or enactment dates. The dates as follows are correct.

SL 2004-3 (H 57). RANDOLPH TDA. *AN ACT TO ALLOW RANDOLPH COUNTY TO REAPPOINT MEMBERS OF ITS TOURISM DEVELOPMENT AUTHORITY.* Summarized in *Daily Bulletin* 2/24/03. Enacted June 7, 2004. Effective June 7, 2004.

SL 2004-7 (H 1474). YANCEY COUNTY CONSTRUCTION. *AN ACT TO EXEMPT YANCEY COUNTY FROM THE PROVISIONS OF CHAPTER 143, ARTICLE 8 OF THE GENERAL STATUTES, FOR PURPOSES OF DEVELOPMENT OF A HEALTH CARE FACILITY IN A PUBLIC-PRIVATE INITIATIVE.* Summarized in *Daily Bulletin* 5/17/04, 5/27/04, and 6/1/04. Enacted June 16, 2004. Effective June 16, 2004.

SL 2004-9 (H 1386). INDIAN TRAIL TOWN ATTORNEY. *AN ACT AMENDING THE CHARTER OF THE TOWN OF INDIAN TRAIL TO REMOVE THE REQUIREMENT THAT THE TOWN ATTORNEY SHALL ATTEND ALL TOWN COUNCIL MEETINGS.* Summarized in *Daily Bulletin* 5/12/04, 5/20/04, and 6/10/04. Enacted June 21, 2004. Effective June 21, 2004.

SL 2004-10 (H 1426). GREENVILLE PARKING DECK PROJECTS. *AN ACT TO EXEMPT FROM CERTAIN PUBLIC BIDDING LAWS THE CITY OF GREENVILLE IN THE CONSTRUCTION OF PARKING STRUCTURE PROJECTS IN ITS CENTRAL BUSINESS DISTRICT.* Summarized in *Daily Bulletin* 5/13/04 and 5/20/04. Enacted June 21, 2004. Effective June 21, 2004.

SL 2004-11 (H 1433). WAKE COUNTY HISTORIC PRESERVATION COMMISSION. *AN ACT PROVIDING THAT MEMBERS OF THE WAKE COUNTY HISTORIC PRESERVATION COMMISSION MAY RESIDE WITHIN THE CORPORATE BOUNDARIES OR EXTRATERRITORIAL JURISDICTION OF A MUNICIPALITY WITHIN THE COUNTY.* Summarized in *Daily Bulletin* 5/13/04 and 5/20/04. Enacted June 21, 2004. Effective June 21, 2004.

SL 2004-12 (H 1454). CHOCOWINITY STAGGERED TERMS. *AN ACT TO PROVIDE FOR STAGGERED FOUR-YEAR TERMS FOR THE MAYOR AND BOARD OF COMMISSIONERS OF THE TOWN OF CHOCOWINITY.* Summarized in *Daily Bulletin* 5/17/04 and 5/27/04. Enacted June 21, 2004. Effective June 22, 2004.

SL 2004-13 (H 1551). ASHEVILLE CIVIL SERVICE BOARD. *AN ACT RELATING TO THE TERMS OF THE MEMBERS OF THE CIVIL SERVICE BOARD OF THE CITY OF ASHEVILLE.* Summarized in *Daily Bulletin* 5/20/04. Enacted June 21, 2004. Effective June 21, 2004.

SL 2004-14 (H 1564). CHARLOTTE REGIONAL VISITORS AUTHORITY. *AN ACT TO AMEND THE CHARTER OF THE CITY OF CHARLOTTE CONCERNING THE CHARLOTTE REGIONAL VISITORS AUTHORITY.* Summarized in *Daily Bulletin* 5/20/04. Enacted June 21, 2004. Effective July 1, 2004.

SL 2004-15 (H 1588). MONROE CLAIMS SETTLEMENT. *AN ACT TO AMEND THE CHARTER OF THE CITY OF MONROE TO ALLOW THE CITY COUNCIL TO DELEGATE TO THE CITY MANAGER THE POWER TO SETTLE CERTAIN CLAIMS AGAINST THE CITY.* Summarized in *Daily Bulletin* 5/20/04 and 6/3/04. Enacted June 21, 2004. Effective July 1, 2004.

SL 2004-16 (H 1640). DARE AFFORDABLE HOUSING FOR TEACHERS. *AN ACT TO AUTHORIZE THE DARE COUNTY BOARD OF EDUCATION TO CONSTRUCT AND PROVIDE AFFORDABLE RENTAL HOUSING FOR TEACHERS AND OTHER LOCAL GOVERNMENTAL EMPLOYEES.* Summarized in *Daily Bulletin* 5/25/04 and 5/27/04. Enacted June 22, 2004. Effective June 22, 2004.

SL 2004-27 (S 1122). CHAPEL HILL SCHOOL SITES. *AN ACT TO AUTHORIZE THE TOWN OF CHAPEL HILL TO POSTPONE FOR EIGHTEEN MONTHS THE APPROVAL OF SPECIAL USE PERMITS AND SITE PLANS PROPOSED ON SITES RESERVED AS SCHOOL SITES ON THE TOWN'S ADOPTED COMPREHENSIVE LAND-USE PLAN.* Summarized in *Daily Bulletin* 5/17/04 and 6/2/04. Enacted June 28, 2004. Effective June 28, 2004.

SL 2004-28 (H 1364). TRANSYLVANIA LAND ACQUISITION/CONVEYANCE. *AN ACT TO PROVIDE THAT TRANSYLVANIA COUNTY MAY PURCHASE AND CONVEY PROPERTY TO THE STATE FOR USE AS CORRECTIONAL FACILITIES.* Summarized in *Daily Bulletin* 5/11/04. Enacted June 28, 2004. Effective June 28, 2004.

SL 2004-29 (H 1425). MORGANTON/BURKE/BROUGHTON MUTUAL AID/WPCC. *AN ACT TO ALLOW THE BROUGHTON POLICE DEPARTMENT TO ENTER INTO MUTUAL AID AGREEMENTS WITH THE CITY OF MORGANTON POLICE DEPARTMENT AND THE BURKE COUNTY SHERIFF'S OFFICE, AND TO ALLOW THE BROUGHTON POLICE DEPARTMENT TO EXERCISE ITS POWERS AT WESTERN PIEDMONT*

COMMUNITY COLLEGE. Summarized in *Daily Bulletin* 5/13/04 and 5/27/04. Enacted June 28, 2004. Effective June 28, 2004.

SL 2004-30 (H 1447). GREENVILLE/HENDERSON—ABANDONED JUNK VEHICLES. *AN ACT AFFECTING THE REGULATION OF ABANDONED OR JUNKED MOTOR VEHICLES IN THE CITIES OF GREENVILLE AND HENDERSON AND THE TOWN OF WAYNESVILLE.* Summarized in *Daily Bulletin* 5/13/04, 5/24/04, and 6/16/04. Enacted June 28, 2004. Effective June 28, 2004.

SL 2004-31 (H 1471). BAKERSVILLE DEANNEXATION. *AN ACT TO DEANNEX TWO DESCRIBED PARCELS FROM THE CORPORATE LIMITS OF THE TOWN OF BAKERSVILLE.* Summarized in *Daily Bulletin* 5/17/04. Enacted June 28, 2004. Effective June 30, 2004.

SL 2004-32 (H 1553). GRIMESLAND BOUNDARY RESTATEMENT. *AN ACT TO RATIFY THE BOUNDARIES OF THE TOWN OF GRIMESLAND BASED ON A NEW SURVEY ALONG THE EXISTING COMMONLY RECOGNIZED BOUNDARY.* Summarized in *Daily Bulletin* 5/20/04. Enacted June 28, 2004. Effective June 28, 2004.

SL 2004-33 (H 1569). COLUMBUS COUNTY SERVICE FEES. *AN ACT REPEALING THE AUTHORITY OF COLUMBUS COUNTY TO ATTACH PERSONAL PROPERTY, GARNISH WAGES, AND PLACE LIENS ON CERTAIN REAL PROPERTY TO COLLECT UNPAID FEES FOR WATER AND SEWER SERVICES.* Summarized in *Daily Bulletin* 5/20/04 and 6/17/04. Enacted June 28, 2004. Effective June 28, 2004.

SL 2004-34 (H 1619). ELIZABETHTOWN CHARTER AMENDMENTS. *AN ACT TO AMEND THE CHARTER OF THE TOWN OF ELIZABETHTOWN.* Summarized in *Daily Bulletin* 5/24/04 and 6/3/04. Enacted June 28, 2004. Effective June 28, 2004.

SL 2004-35 (H 1670). NEWTON FORCE ACCOUNT. *AN ACT TO INCREASE THE FORCE ACCOUNT LIMIT FOR THE CITY OF NEWTON AND CATAWBA COUNTY AS TO A PARK.* Summarized in *Daily Bulletin* 5/26/04 and 6/3/04. Enacted June 28, 2004. Effective June 28, 2004.

SL 2004-36 (H 1543). ASHEVILLE ABC BOARD MEMBERSHIP INCREASED. *AN ACT TO INCREASE THE MEMBERSHIP OF THE CITY OF ASHEVILLE BOARD OF ALCOHOLIC CONTROL.* Summarized in *Daily Bulletin* 5/20/04, 5/27/04, and 6/17/04. Enacted June 29, 2004. Effective June 29, 2004.

SL 2004-37 (S 1127). INCORPORATE WALLBURG. *AN ACT TO INCORPORATE THE TOWN OF WALLBURG.* Summarized in *Daily Bulletin* 5/18/04 and 6/16/04. Enacted June 29, 2004. Effective June 29, 2004.

SL 2004-38 (H 1363). LAKE TOXAWAY MOTOR VEHICLE REGULATION. *AN ACT TO PROVIDE THAT THE LAWS RELATING TO MOTOR VEHICLES APPLY ON THE STREETS OWNED BY THE LAKE TOXAWAY PROPERTY OWNERS' ASSOCIATION IN TRANSYLVANIA COUNTY.* Summarized in *Daily Bulletin* 5/11/04 and 6/17/04. Enacted June 29, 2004. Effective June 29, 2004.

NEXT SESSIONS

July 9, 2004

HOUSE convenes at 9:00 a.m.

SENATE convenes at 10:00 a.m.

H0951 CREATE CIVIL NO-CONTACT PROTECTIVE ORDERS.	H PLACED ON CAL FOR 7/12/2004
04-30-03, 07-06-04	
H1083 WATER CONSERVATION/SUBMETERS.	S PASSED 2ND & 3RD READING
	H REC TO CONCUR S COM SUB
	H CAL PURSUANT RULE 36(B)
	H PLACED ON CAL FOR 7/12/2004
07-08-04	
H1112 PHOSPHORUS NUTRIENT MGT./ANIMAL FEEDLOTS.	S REPTD FAV COM SUBSTITUTE
	SA COM SUBSTITUTE ADOPTED
	S PLACED ON CAL FOR 7/9/2004
	S PASSED 2ND & 3RD READING
	H REC TO CONCUR S COM SUB
	H COM SUB RULED MATERIAL
	H PLACED ON CAL FOR 7/12/2004
06-18-03, 06-19-03, 07-08-04, 07-09-04	
H1119 ELECTION LAW CHANGES - 1.	S REPTD FAV COM SUBSTITUTE
	SA COM SUBSTITUTE ADOPTED
04-22-03, 04-29-03, 07-09-04	
H1264 REGULATORY FEES.	S PASSED 3RD READING
	H REC TO CONCUR S COM SUB
	H COM SUB RULED MATERIAL
	H REF TO COM ON FINANCE
06-10-04, 07-07-04	
#H1303 NONPROFITS EXEMPT FROM ADMISSIONS TAX.	H SIGNED BY GOV. 7/8/2004
	HR CH. SL 2004-84
06-23-03, 07-18-03, 07-19-03, 06-17-04, 06-23-04, 06-24-04	
H1343 MOPED ID TAGS.	HA AMEND ADOPTED #1
	H PASSED 3RD READING
07-07-04, 07-09-04	
H1354 STRENGTHEN DOMESTIC VIOLENCE LAWS.	S REPTD FAV COM SUBSTITUTE
	SA COM SUBSTITUTE ADOPTED
	S RE-REF COM ON APPROPRIATIONS/ BASE BUDGET
	S REPTD FAV
	S PASSED 2ND READING
06-16-04, 06-17-04, 06-21-04, 07-08-04, 07-09-04	
H1356 INCREASE FEES/QUALIFS. FOR DWI ASSESSMENTS.	S PASSED 3RD READING
	H RATIFIED
H1427 AMEND SHELLFISH LAWS.	H PASSED 3RD READING
06-29-04, 07-01-04, 07-07-04, 07-08-04	
H1449 APA TECHNICAL/CLARIFYING CHANGES.	S PASSED 2ND & 3RD READING
	H REC TO CONCUR S COM SUB
	H CAL PURSUANT RULE 36(B)
	H PLACED ON CAL FOR 7/12/2004
06-15-04, 06-30-04, 07-08-04	
H1453 DISCHARGING FIREARM ON SCHOOL PROPERTY.	SA AMEND ADOPTED # 1
	S PASSED 3RD READING
	S ENGROSSED
06-29-04, 07-07-04, 07-09-04	
#H1455 SBE STUDY ALP FUNDING.	H SIGNED BY GOV. 7/8/2004
	HR CH. SL 2004-76
#H1456 SBE STUDY USE OF AT-RISK FUNDS.	H SIGNED BY GOV. 7/8/2004
	HR CH. SL 2004-73
05-26-04	
#H1478 RETIREMENT/TEACHER EXCHANGE PROGRAMS.	H SIGNED BY GOV. 7/8/2004
	HR CH. SL 2004-81
H1513 INCREASE LOCAL GOV'T DEATH BENEFIT.	S PASSED 2ND & 3RD READING

H1518	REQUIRE PAYMENT OF RESTITUTION FOR EXPUNCTION. 06-30-04	H PLACED ON CAL FOR 7/12/2004
#H1555	TAG AGENTS TITLE TRANSACTION FEE. 06-09-04, 06-17-04	H SIGNED BY GOV. 7/8/2004 HR CH. SL 2004-77
H1594	ALARM SYSTEMS LIC. FEES/REG. AGENCY SETOFF. 06-24-04, 07-08-04	S AMENDMENT WITHDRAWN # 1 S PASSED 2ND & 3RD READING H REC TO CONCUR S COM SUB H CAL PURSUANT RULE 36(B) H PLACED ON CAL FOR 7/12/2004
H1602	DELAYS DOLLAR LIMIT ON CREDIT FOR PARTNERSHIPS. 06-28-04, 07-01-04, 07-08-04	S PASSED 2ND & 3RD READING H REC TO CONCUR IN S AMEND H CAL PURSUANT RULE 36(B) H PLACED ON CAL FOR 7/12/2004
H1624	INCREASE RETIREES' CONTRIBUTORY DEATH BENEFIT.	S PASSED 2ND & 3RD READING H RATIFIED
H1723	CHARTER SCHOOL RETIREMENT ELECTION. 06-23-04, 07-07-04	S REPTD FAV S RE-REF COM ON SELECT COMMITTEE ON EMPLOYEE HOSPITAL AND MEDICAL BENEFITS
H1795	MODIFY YOUTH FACILITY DEBT AUTHORIZATION. 06-23-04	S PASSED 3RD READING H RATIFIED
#H1807	HONORING FOUNDERS OF DUKE POWER.	S PASSED 2ND & 3RD READING HR CH. RES 2004-12
S0006	STRENGTHEN LAW ENFORCEMENT VS. VIDEO POKER 04-17-03, 06-30-04, 07-08-04	H WITHDRAWN FROM CAL H RE-REF COM ON RULES, CALENDAR, AND OPERATIONS OF THE HOUSE
#S0051	AMEND FRANCHISE TAX LOOPHOLE. 07-10-03, 06-15-04, 06-16-04	S SIGNED BY GOV. 7/8/2004 SR CH. SL 2004-74
S0074	NC VINEYARD AMENDMENTS 04-29-03, 07-09-04	HA REPTD FAV COM SUBSTITUTE H CAL PURSUANT RULE 36(B)
S0230	REPEAL UCC ARTICLE ON BULK SALES. 03-25-03, 06-11-03, 07-07-04	S RATIFIED
S0464	NRA SPECIAL PLATE. 07-15-03, 07-16-03, 06-16-04, 07-08-04	H PLACED ON CAL FOR 7/12/2004
S0470	COMPENSATION OF TRUSTEES/OTHER FIDUCIARIES. 04-14-03, 06-30-04	S WITHDRAWN FROM CAL S PLACED ON CAL FOR 7/13/2004
#S0582	PUBLIC HEALTH PREPAREDNESS AND RESPONSE 04-30-03, 06-02-04	S SIGNED BY GOV. 7/8/2004 SR CH. SL 2004-80
S0676	REVISE THE BANKING LAWS OF NORTH CAROLINA. 05-13-03, 07-10-03, 07-19-03, 07-09-04	S CONF COM REPORTED SA CONF REPORT ADOPTED
S0754	STOCK CAR RACING THEME SPECIAL PLATES. 06-17-04	H AMEND FAILED #1 H PASSED 3RD READING

S0760 LOCAL CAMPAIGN FINANCE OPTIONS.	H	WITHDRAWN FROM COMM
	H	RE-REF COM ON RULES, CALENDAR, AND OPERATIONS OF THE HOUSE
06-04-03, 07-15-03		
S0848 ADVANCED VEHICLE RESEARCH CENTER INCENTIVE.	H	PLACED ON CAL FOR 7/12/2004
04-22-03, 07-07-04		
S0852 ORGAN DONOR ORG'S./ACCESS TO DMV RECORDS.	H	PASSED 3RD READING
	S	REC TO CONCUR H COM SUB
	S	PLACED ON CAL FOR 7/12/2004
06-05-03, 07-15-03, 07-17-03, 07-01-04		
#S0859 RIVER BASINS ADVISORY COMMISSIONS	S	SIGNED BY GOV. 7/8/2004
	SR	CH. SL 2004-83
06-12-03, 06-15-04, 06-23-04		
S0868 CONSUMER'S RIGHT TO KNOW AND ACT/QBI CREDIT	H	WITHDRAWN FROM CAL
	H	RE-REF COM ON RULES, CALENDAR, AND OPERATIONS OF THE HOUSE
04-24-03, 07-08-04		
S0933 WETLANDS REIMBURSEMENT/LOCAL TAX BASE.	S	RATIFIED
S0991 IMPROVE STATE IT EFFICIENCY & PROJ. MGM'T.	S	WITHDRAWN FROM CAL
	S	PLACED ON CAL FOR 7/9/2004
	S	FAILED CONCUR IN COM SUB
	S	CONF COM APPOINTED
05-01-03, 07-01-04		
S1043 AGGREGATE TRUCK WEIGHT LIMITS.	H	PASSED 2ND & 3RD READING
	S	REC TO CONCUR H COM SUB
	S	PLACED ON CAL FOR 7/12/2004
06-24-04, 06-30-04		
S1054 INCREASE METHAMPHETAMINE PENALTIES.	HA	REPTD FAV COM SUBSTITUTE
	H	CAL PURSUANT RULE 36(B)
05-27-04, 07-06-04, 07-09-04		
S1078 VEHICLE CONTROL SIGNS AND SIGNALS.	H	PASSED 3RD READING
06-07-04		
#S1086 PUBLIC TRANSIT DECELERATION LAMPS.	S	SIGNED BY GOV. 7/8/2004
	SR	CH. SL 2004-82
06-07-04		
S1118 SPECIAL LICENSE PLATES.	S	FAILED CONCUR IN COM SUB
06-03-04, 06-28-04		
S1128 LOCKSMITH CRIMINAL HISTORY RECORD CHECK FEE.	H	WITHDRAWN FROM CAL
	H	RE-REF COM ON FINANCE
05-27-04		
S1145 REVENUE LAWS TECHNICAL CHANGES.	H	PASSED 3RD READING
	S	REC TO CONCUR H COM SUB
	S	PLACED ON CAL FOR 7/12/2004
06-07-04, 06-28-04, 07-07-04		
#S1161 MILITARY PLANNING NOTICES.	S	SIGNED BY GOV. 7/8/2004
	SR	CH. SL 2004-75
06-09-04, 06-16-04		
S1171 MOTOR FUELS TAX CHANGES.	H	FISCAL NOTE REQUESTED
	H	AMEND PENDING #1
	H	REMOVED FROM CAL
06-09-04, 06-16-04, 06-30-04		
S1202 SEPTIC SYSTEM SETBACKS FOR PRE-1977 LOTS.	S	CONCURRED IN H/COM SUB
06-29-04		
S1210 PHASE II STORMWATER MANAGEMENT-1.	H	PASSED 2ND & 3RD READING
06-29-04, 06-30-04		

S1244 NC CEMETERY ACT/FEES/BILL LEE TIERS.	H PASSED 3RD READING
	S REC TO CONCUR H COM SUB
	S PLACED ON CAL FOR 7/12/2004
06-17-04, 07-07-04	
S1254 RESPIRATORY CARE BD/BACKGROUND CHECKS/ FEES.	HA AMEND ADOPTED #1
	H PASSED 3RD READING
	S REC TO CONCUR IN H AMEND
	S PLACED ON CAL FOR 7/9/2004
	S CONCURRED IN H AMEND # 1
	S RATIFIED
06-03-04, 07-09-04	
S1312 LOCAL GOV'T EMPLOYEES/457 PLAN.	S CONCURRED IN H/COM SUB
06-02-04, 06-23-04	
S1384 AMEND BARBERING LAWS.	S FAILED CONCUR IN COM SUB
06-17-04, 07-01-04	
#S1441 MEMORIALIZING RAY CHARLES.	S RATIFIED
	SR CH. RES 2004-11
07-06-04	

LOCAL BILLS

H0142 DARE LOCAL OPTION TAX MENU.	SA AMEND ADOPTED # 1
	S PASSED 3RD READING
	S ENGROSSED
07-07-04, 07-09-04	
H1348 CAMDEN COUNTY OCCUPANCY TAX.	S PASSED 2ND READING
#H1349 COLUMBUS/PITT FOX HUNTING/TRAPPING.	HR CH. SL 2004-66
06-23-04, 06-30-04	
H1422 MINT HILL/KINGS MOUNTAIN/ALL-TERRAIN VEHICLES.	S REC FROM HOUSE
	S REF TO COM ON STATE GOVERNMENT, LOCAL GOVERNMENT, AND VETERANS' AFFAIRS
06-30-04, 07-07-04	
#H1462 SEVEN DEVILS-REGULATE GOLF CARTS/UTIL. VEH.	HR CH. SL 2004-58
#H1509 CABARRUS MEMORIAL HOSPITAL ADVANCED DEGREES.	HR CH. SL 2004-67
#H1529 MOORE SCHOOL BUSES/2005 US OPEN.	HR CH. SL 2004-68
H1547 CHAPEL HILL OPEN SPACE.	S REPTD FAV COM SUBSTITUTE
	SA COM SUBSTITUTE ADOPTED
06-02-04, 07-09-04	
#H1589 MONTGOMERY COMMISSIONER ELECTIONS.	HR CH. SL 2004-59
06-03-04	
#H1613 CHOWAN/ANSON HUNTING LAWS.	HR CH. SL 2004-60
06-16-04	
#H1614 LENOIR ABC PROFIT DISTRIBUTIONS TO BE ANNUAL.	HR CH. SL 2004-61
H1649 WAKE IMPAIRED HUNTING REGULATION.	S PASSED 2ND & 3RD READING
	H RATIFIED
06-24-04	
#H1659 PERQUIMANS HUNTING STAND AMENDMENT.	HR CH. SL 2004-62
#H1662 CHEROKEE/CLAY/SHOOTING FROM RIGHT-OF-WAY.	HR CH. SL 2004-63
06-16-04	
#H1669 CLINTON CITY SCHOOLS PROPERTY TRANSFER.	HR CH. SL 2004-69
#H1674 ZEBULON CHARTER AMENDMENT.	HR CH. SL 2004-64
06-03-04	

H1700 DURHAM VEHICLE TAX SUNSET EXTENDED/USES.	H	PASSED 3RD READING
	S	REC FROM HOUSE
	S	REF TO COM ON FINANCE
07-07-04		
H1721 CURRITUCK OCCUPANCY TAX CHANGES.	S	PASSED 2ND READING
06-10-04, 06-30-04		
#H1726 WINSTON-SALEM/ROANOKE RAPIDS CODE ENFORCEMENT.	HR	CH. SL 2004-70
06-24-04		
#H1728 LAKE ROYALE POLICE AUTHORITY.	HR	CH. SL 2004-71
06-24-04, 06-30-04		
H1730 HOLDEN BEACH SEWER TREATMENT FEE.	S	PASSED 2ND READING
H1733 SOUTHPORT UTILITY UNDERGROUNDING.	S	PASSED 2ND READING
06-23-04		
H1734 OCEAN ISLE CANAL DREDGING.	S	PASSED 2ND READING
06-23-04		
H1737 WINSTON-SALEM/REIDSVILLE STRUCTURES.	H	PLACED ON CAL FOR 7/12/2004
06-24-04, 07-07-04		
#S1093 EDGECOMBE/WILSON TAX CERTIFICATION.	SR	CH. SL 2004-65
05-25-04, 06-01-04, 07-01-04		
S1205 RUTHERFORDTON ABC DISTRIBUTIONS.	H	REPTD FAV
	H	CAL PURSUANT RULE 36(B)
	H	PLACED ON CAL FOR 7/12/2004
06-28-04		
S1209 DURHAM HOUSING APPEALS BOARD.	H	PLACED ON CAL FOR 7/12/2004
S1265 ORANGE/CHATHAM BOUNDARY.	H	PASSED 3RD READING
	S	RATIFIED
06-24-04		
S1305 ANGIER SATELLITE ANNEXATION.	H	PASSED 3RD READING
	S	REC TO CONCUR H COM SUB
	S	REF TO COM ON FINANCE
06-07-04, 07-01-04		
S1315 CABARRUS BOARD OF EQUALIZATION AND REVIEW.	H	PLACED ON CAL FOR 7/12/2004
07-07-04		
S1347 KANNAPOLIS ABC STORE ELECTION.	H	REPTD FAV
	H	CAL PURSUANT RULE 36(B)
	H	PLACED ON CAL FOR 7/12/2004
S1355 GOLDSBORO NOTICE/ORDINANCE VIOLATION.	H	PLACED ON CAL FOR 7/12/2004
S1356 GIBSONVILLE WHITSETT BOUNDARY.	H	PASSED 3RD READING
	S	RATIFIED
S1370 GOLDSBORO SURPLUS LOT DISPOSITION.	H	PLACED ON CAL FOR 7/12/2004
06-16-04		

SUMMARIES OF AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

S 74. NC VINEYARD AMENDMENTS (NEW). Intro. 2/18/2003. House committee substitute makes the following changes to 2nd edition. Completely rewrites prior edition as follows. Amends definitions of fortified and unfortified wine in GS 18B-101 and GS 105-113.68(a). Amends GS 18B-1101, allowing the holder of an unfortified winery permit to receive in closed containers and sell at the winery unfortified wine produced inside or outside of NC under contract with the winery, subject to certain restrictions. Provides that the authorization in GS 18B-1101(7) pertaining to wholesale permits applies only to a winery that sells no more than 100,000 gallons of unfortified wine manufactured by it at the winery. Amends GS 18B-800(b) to provide that ABC stores may sell wine products,

irrespective of alcohol content by volume, which were classified as fortified wine by the ABC Comm'n prior to July 7, 2004. Effective Oct. 1, 2004.

S 1054. INCREASE METHAMPHETAMINE PENALTIES. Intro. 5/12/04. House committee substitute makes the following changes to 3rd edition. Enacts new GS 90-95(d1a) making it a Class F felony for any person to possess an immediate precursor chemical with intent to manufacture methamphetamine or to possess or distribute an immediate precursor chemical knowing or having reasonable cause to believe that the chemical will be used to manufacture methamphetamine. Amends GS 15A-1340.16D(a) (enhanced sentence if offense resulted in serious injury to certain law enforcement or emergency services personnel) to clarify that the injury must be directly caused by one of the hazards associated with methamphetamine. Further amends subsection to decrease the minimum term of imprisonment for offense to 24 months (was, 60 months). Enacts new GS Ch. 114, Art. 7, providing immunity from civil and criminal liability for certain good faith actions of a person participating in a methamphetamine watch program. Makes technical changes.

S 1254. RESPIRATORY CARE BD/BACKGROUND CHECKS/FEES. Intro. 5/24/04. House amendment makes the following changes to 2nd edition. Provides that if H 1352 becomes law, Sec. 9 of that act is amended to extend expiration of Sections 4 – 8 of act (state budget transitional adjustments) from July 9, 2004, to July 17, 2004.

HOUSE BILLS

H 1112. PHOSPHORUS NUTRIENT MGT./ANIMAL FEEDLOTS. Intro. 4/10/03. Senate committee substitute makes the following changes to 4th edition. Enacts new Sec. 7 requiring that the Dep't of Environment and Natural Resources evaluate the availability of information identifying poultry facilities that may be subject to GS 143-215.10C regulation and options for obtaining such information if necessary, and report its finding to the Environmental Review Comm'n on or before Jan. 1, 2005. Makes technical changes.

H 1119. ELECTION LAW CHANGES -1. Intro. 4/10/03. Senate committee substitute makes the following changes to 3rd edition. Completely rewrites prior edition as follows. Amends GS 163-132.3 by deleting subsection (d) and providing, in subsection (a), that no county board of elections may change any precinct boundary except in one of three specified ways. Also provides that all proposed new precincts must consist solely of contiguous territory and that the provision does not bar a county from continuing to use precincts that were allowed under the Combined Reporting Unit provisions of GS 163-132.1(c)(6). Changes reporting requirements for precinct boundary changes. Deletes the time restriction on precinct changes. Modifies the time period specified in subsection (e) to have it end on August 15, 2004. Adds new GS 163-132.3A, pertaining to assigning of precinct names. Provides that changes to GS 163-132.3 and 132.3A become effective Aug. 15, 2004, and that any changes to precincts proposed for the 2004 election shall be completed by Sept. 17, 2004. Adds new subsection to GS 7A-41(b) providing that effective with the 2004 election, in addition to the boundaries provided for in the section, Superior Court District 14A also includes that portion of Durham Precinct 53 east of NC Highway 751. This change is effective when it becomes law and applies to the 2004 election cycle. Amends GS 163-166.12, adding new subsection (b1) providing that the county board of elections must note the type of identification proof submitted under the provisions of subsections (a) and (b) and deleting exception for absentee voters. Amends GS 163-82.4, changing the reference in subsection (b)(1) from GS 163-275(4) to 163-275(13). Amends GS 163-299(d) to provide that the provisions of Art. 14A, not 13A, apply. Amends GS 163-213.5 to change second reference to GS 163-96(b)(1) and (2) to GS 163-96. Amends GS 163-123(g), making the exception apply to elections under Art. 25. Amends the procedure for having a name printed on a ballot as an unaffiliated candidate in GS 163-122 and the provision on nominating by petition in GS 163-296. Modifies provisions in GS 163-82.6 pertaining to how application forms may be submitted and the registration deadlines for an election. Rewrites GS 163-257, pertaining to facsimile, electronic mail, or scanned transmission of election materials. Deletes reference to GS 163-74(b) in GS 163-97.1 and replaces it with a reference to GS 163-82.17; deletes reference to GS 163-116 in GS 163-213.7 and replaces it with a reference to GS 163-119. Amends GS 163-1(b), adding nonpartisan candidates as to offices elected under Art. 25. Deletes the word "resignation" in GS 163-112(d)(4). Modifies the heading for petitions for new political parties in GS 163-96(b). Deletes that portion of GS 163-278(9) providing that the special definition of "expenditure" in GS 163-12A applies only in that section. Changes the statutory cross reference in GS 163-278.12(a) from GS 163-278.16(f) to 163-278.39. Adds a new GS 163-82.10B pertaining to the confidentiality of the date of birth of voter-registration applicants and registered voters. Makes a conforming change to GS 132-1.2. Deletes amendment to GS 163-82.10(d) in prior edition and revises GS 163-82.10, making

changes regarding confidentiality of date of birth information. Amends GS 163-82.13 to provide that the voter registration file may contain the voter's age. Adds a new provision to GS 163-42.1 providing that the date of birth of a student election assistant shall be kept confidential. Changes to GS 163-82.10B, 132-1.2, 163-82.10, 163-82.13, and 163-42.1 are effective June 1, 2005. Except as otherwise noted, the act is effective when it becomes law.

H 1343. MOPED ID TAGS. Intro. 5/10/04. House amendment makes the following changes to 2nd edition. Amends GS 20-71.6(c) to delete requirement that NC Motorcycle Dealers Association establish fee.

H 1354. STRENGTHEN DOMESTIC VIOLENCE LAWS. Intro. 5/11/04. Senate committee substitute makes the following changes to 5th edition. Amends GS 84-4.1(7) to delete provision requiring that $100 fee be used to provide services described in GS 7A-474.9. Effective Oct. 1, 2004, amends GS 7A-305(a)(2) (civil action fees) and GS 7A-304(a)(4) (criminal action fees) to require that 95 cents of each fee collected under subdivisions be remitted to the NC State Bar for the provision of GS 7A-474.9 services. Amends GS 50B-5.5(a) to delete reference to tangible job action and replace with list of specific job actions and to delete subsection (b).

H 1547. CHAPEL HILL OPEN SPACE/DEVELOPMENT RIGHTS. Intro. 5/20/04. Senate committee substitute makes the following changes to 2nd edition. Amends Sec. 3 to provide that GS 153A-15 (requiring consent of county board of commissioners before condemnation or acquisition of land) is inapplicable to actions taken pursuant to act.

H 1594. ALARM SYSTEMS LIC. FEES/REG. AGENCY SETOFF (NEW). Intro. 5/20/04. Senate committee substitute adopted 7/8/04 makes the following changes to 2nd edition. Enacts new Sec. 2, which is substantially identical to the 1st edition of H 1420, introduced 5/12/04, except changes the effective date to Jan. 1, 2004 (was, Jan. 1, 2005).

H 1602. DELAYS $ LIMIT ON CREDIT FOR PARTNERSHIPS. Intro. 5/20/04. Senate amendment adopted 7/8/04 makes the following changes to 3rd edition. Amends SL 2001-335, Sec. 3, by extending the expiration date of GS 105-151.12(f) (applying maximum dollar limit for determining amount of the credit for certain real property donations to each partner separately) to Jan. 1, 2006 (was, Jan. 1, 2007).

NEXT SESSIONS

July 12, 2004

HOUSE convenes at 7:00 p.m.

SENATE convenes at 7:00 p.m.

141
25: 2004/36

Daily Bulletin

ACTIONS BY THE NORTH CAROLINA GENERAL ASSEMBLY

Institute *of* Government—School of Government
The University of North Carolina at Chapel Hill
Legislative Reporting Service, Box 7294 State Legislative Building, Raleigh, NC 27601
Phone 919.733.2484 Fax 919.715.3464

House Legislative Day 141 Vol. 2004, No. 36 Senate Legislative Day 143

Monday, July 12, 2004

N.C. DOCUMENTS CLEARINGHOUSE
JUL 2 7 2004
STATE LIBRARY OF NORTH CAROLINA RALEIGH

BILLS INTRODUCED TODAY

None

CALENDAR ACTION
July 12, 2004

NOTES
1. Amendments and committee substitutes adopted today are summarized in the following section of today's Daily Bulletin.
2. The dates on which previous amendments or committee substitutes were adopted are listed below bill numbers.
3. The action "Cal Pursuant Rule 36b" indicates that the bill has been reported by committee and is awaiting calendaring by the Rules Committee.
4. Enacted bills are indicated by #, failed bills by *.

PUBLIC BILLS

*H0046	NC GOVERNMENT COMPETITION COMMISSION.	HF	POSTPONED INDEFINITELY
*H0233	MEDICAID PRIOR APPROVAL/PRESC. DRUGS.	HF	POSTPONED INDEFINITELY
*H0238	REGULATE BODY PIERCING.	HF	POSTPONED INDEFINITELY
*H0410	REDUCE MEDICAID COUNTY SHARE/TIER COUNTIES.	HF	POSTPONED INDEFINITELY
H0429	MONETARY COMP./OUTDOOR ADVERTISING.	H	VETOED 7/9/2004
		H	VETO OVERRIDDEN
	04-08-03, 04-09-03, 06-22-04		
*H0481	MINIMUM HOUSING CODES.	HF	POSTPONED INDEFINITELY
*H0628	MINIMUM HOUSING CODES.	HF	POSTPONED INDEFINITELY
H0831	SALTWATER FISHING FUND/HOLDOVER APPOINTMENTS.	H	POSTPONED TO 7/13/2004
	05-20-03, 07-09-03, 07-17-03, 07-18-03, 07-19-03, 07-06-04		
*H0833	CHARITABLE SOLICITATIONS/REQUIRE DISCLOSURE.	HF	POSTPONED INDEFINITELY
H0951	CREATE CIVIL NO-CONTACT PROTECTIVE ORDERS.	H	POSTPONED TO 7/13/2004
	04-30-03, 07-06-04		
H0965	INCREASE PENALTIES FOR FAILURE TO YIELD.	H	PLACED ON CAL FOR 7/13/2004
	04-29-03, 04-30-03, 06-30-04		

This publication is printed on permanent, acid-free paper in compliance with the North Carolina General Statutes
Institute of Government—School of Government
The University of North Carolina at Chapel Hill
© 2004

H1046 AGGRESSIVE DRIVING.	S	REPTD FAV COM SUBSTITUTE
	SA	COM SUBSTITUTE ADOPTED
04-23-03, 04-29-03, 07-12-04		
H1083 WATER CONSERVATION/SUBMETERS.	H	CONCURRED IN S/COM SUB
07-08-04		
H1112 PHOSPHORUS NUTRIENT MGT./ANIMAL FEEDLOTS.	H	CONCURRED ON 2ND READING
06-18-03, 06-19-03, 07-08-04, 07-09-04		
H1119 ELECTION LAW CHANGES - 1.	SA	AMEND ADOPTED # 1
	S	PASSED 2ND & 3RD READING
	S	ENGROSSED
04-22-03, 04-29-03, 07-09-04, 07-12-04		
H1139 RAPIST PARENTAL RIGHTS/OPEN CRIM. DISCOVERY.	H	REPTD UNFAV FOR CONC
	H	CAL PURSUANT RULE 36(B)
04-30-03, 07-01-04, 07-06-04		
*H1202 UNC-TV/ LMT INTERNAL SOLICITATION PROG.	HF	POSTPONED INDEFINITELY
H1343 MOPED ID TAGS.	S	REC FROM HOUSE
	S	REF TO TRANSPORTATION. IF FAV, RE-REF TO FINANCE
07-07-04, 07-09-04		
H1345 SPECIAL OFFICERS AUTHORITY/DOT TECH. CORR.	S	PASSED 2ND & 3RD READING
	S	RECONSIDERED 3RD READING
	S	PLACED ON CAL FOR 7/13/2004
07-09-04		
#H1352 EMERGENCY FUNDING FOR ONE NC & NEIT.	H	SIGNED BY GOV. 7/9/2004
	HR	CH. SL 2004-88
05-19-04, 06-16-04, 06-30-04		
H1354 STRENGTHEN DOMESTIC VIOLENCE LAWS.	SA	AMEND ADOPTED # 1
	S	PASSED 3RD READING
	S	ENGROSSED
06-16-04, 06-17-04, 06-21-04, 07-08-04, 07-09-04, 07-12-04		
H1356 INCREASE FEES/QUALIFS. FOR DWI ASSESSMENTS.	H	PRES. TO GOV. 7/9/2004
H1420 REGIONAL AGENCY DEBT SETOFF.	H	WITHDRAWN FROM COMM
	H	CAL PURSUANT RULE 36(B)
	H	PLACED ON CAL FOR 7/13/2004
	H	PLACED ON CAL FOR 7/13/2004
07-06-04		
H1427 AMEND SHELLFISH LAWS.	S	REC FROM HOUSE
	S	REF TO COM ON AGRICULTURE/ ENVIRONMENT/NATURAL RESOURCES
06-29-04, 07-01-04, 07-07-04, 07-08-04		
H1449 APA TECHNICAL/CLARIFYING CHANGES.	H	CONCURRED IN S/COM SUB
06-15-04, 06-30-04, 07-08-04		
H1453 DISCHARGING FIREARM ON SCHOOL PROPERTY.	H	REC TO CONCUR S COM SUB
	H	CAL PURSUANT RULE 36(B)
06-29-04, 07-07-04, 07-09-04		
H1464 SCHOOL CALENDAR CHANGES.	H	PLACED ON CAL FOR 7/13/2004
07-01-04		
H1513 INCREASE LOCAL GOV'T DEATH BENEFIT.	H	RATIFIED
H1518 REQUIRE PAYMENT OF RESTITUTION FOR EXPUNCTION.	H	CONCURRED IN S/COM SUB
06-30-04		
H1519 CRIME VICTIM FINANCIAL RECOVERY ASSIST. ACT.	S	WITHDRAWN FROM CAL
	S	PLACED ON CAL FOR 7/13/2004
06-02-04, 07-09-04		
H1594 ALARM SYSTEMS LIC. FEES/REG. AGENCY SETOFF.	H	FAILED CONCUR IN COM SUB
	H	CONF COM APPOINTED
06-24-04, 07-08-04		

H1602	DELAYS DOLLAR LIMIT ON CREDIT FOR PARTNERSHIPS.	H CONCURRED IN S AMEND
	06-28-04, 07-01-04, 07-08-04	
H1624	INCREASE RETIREES' CONTRIBUTORY DEATH BENEFIT.	H PRES. TO GOV. 7/9/2004
*H1693	UNEMPL. INS. EXCEPT. FOR CERTAIN DOMESTIC SERV.	HF POSTPONED INDEFINITELY
*H1785	ENABLING RESOLUTION/NOTARY FEE INCREASE.	HF POSTPONED INDEFINITELY
H1795	MODIFY YOUTH FACILITY DEBT AUTHORIZATION.	H PRES. TO GOV. 7/9/2004
	06-23-04	
S0006	STRENGTHEN LAW ENFORCEMENT VS. VIDEO POKER	HA REPTD COM SUB W/O PREJUD H CAL PURSUANT RULE 36(B) H PLACED ON CAL FOR 7/13/2004
	04-17-03, 06-30-04, 07-08-04, 07-12-04	
S0020	REGULATE PROFESSIONAL EMPLOYER ORGANIZATION.	HA AMEND ADOPTED #3 H PASSED 3RD READING
	07-10-03, 06-28-04, 07-07-04, 07-12-04	
S0230	REPEAL UCC ARTICLE ON BULK SALES.	S PRES. TO GOV. 7/9/2004
	03-25-03, 06-11-03, 07-07-04	
S0444	SCHOOL INFO/MENINGITIS AND FLU.	S PRES. TO GOV. 7/9/2004
	06-23-04, 06-24-04	
S0464	NRA SPECIAL PLATE.	H PASSED 2ND READING
	07-15-03, 07-16-03, 06-16-04, 07-08-04	
S0676	REVISE THE BANKING LAWS OF NORTH CAROLINA.	H CONF COM REPORTED HA CONF REPORT ADOPTED
	05-13-03, 07-10-03, 07-19-03, 07-09-04, 07-12-04	
S0754	STOCK CAR RACING THEME SPECIAL PLATES.	S RATIFIED
	06-17-04	
S0848	ADVANCED VEHICLE RESEARCH CENTER INCENTIVE.	H PASSED 2ND READING
	04-22-03, 07-07-04	
S0852	ORGAN DONOR ORG'S./ACCESS TO DMV RECORDS.	S CONCURRED IN H/COM SUB
	06-05-03, 07-15-03, 07-17-03, 07-01-04	
S0933	WETLANDS REIMBURSEMENT/LOCAL TAX BASE.	S PRES. TO GOV. 7/9/2004
S1043	AGGREGATE TRUCK WEIGHT LIMITS.	S CONCURRED IN H/COM SUB
	06-24-04, 06-30-04	
S1063	ELIMINATE IRB WAGE STANDARD.	S CONF COM REPORTED S PLACED ON CAL FOR 7/13/2004 H CONF COM REPORTED H PLACED ON CAL FOR 7/13/2004
	06-09-04, 06-21-04, 07-12-04	
S1078	VEHICLE CONTROL SIGNS AND SIGNALS.	S RATIFIED
	06-07-04	
S1144	"IN GOD WE TRUST" SPECIAL PLATES.	S PRES. TO GOV. 7/9/2004
	06-02-04	
S1145	REVENUE LAWS TECHNICAL CHANGES.	S WITHDRAWN FROM CAL S PLACED ON CAL FOR 7/13/2004
	06-07-04, 06-28-04, 07-07-04	
S1148	CARE FOR THE MENTALLY ILL IN LTC FACILITIES.	H PASSED 2ND & 3RD READING
	06-02-04, 07-01-04	
S1171	MOTOR FUELS TAX CHANGES.	H FISCAL NOTE ATTACHED H PLACED ON CAL FOR 7/12/2004 H POSTPONED TO 7/13/2004
	06-09-04, 06-16-04, 06-30-04	

S1202 SEPTIC SYSTEM SETBACKS FOR PRE-1977 LOTS.	S	RATIFIED
06-29-04		
S1210 PHASE II STORMWATER MANAGEMENT-1.	S	RATIFIED
06-29-04, 06-30-04		
S1218 CHILD RESTRAINT SYSTEMS MODIFIED.	H	PASSED 3RD READING
06-23-04, 06-30-04		
S1244 NC CEMETERY ACT/FEES/BILL LEE TIERS.	S	CONCURRED IN H/COM SUB
06-17-04, 07-07-04		
S1254 RESPIRATORY CARE BD/BACKGROUND CHECKS/ FEES.	S	PRES. TO GOV. 7/9/2004
06-03-04, 07-09-04		
S1312 LOCAL GOV'T EMPLOYEES/457 PLAN.	S	RATIFIED
06-02-04, 06-23-04		
S1384 AMEND BARBERING LAWS.	S	CONF COM APPOINTED
06-17-04, 07-01-04		

LOCAL BILLS

H0142 DARE LOCAL OPTION TAX MENU.	H	REC TO CONCUR S COM SUB
	H	COM SUB RULED MATERIAL
	H	REF TO COM ON FINANCE
07-07-04, 07-09-04		
H1348 CAMDEN COUNTY OCCUPANCY TAX.	S	WITHDRAWN FROM CAL
	S	RE-REF COM ON FINANCE
H1547 CHAPEL HILL OPEN SPACE.	S	PASSED 2ND READING
06-02-04, 07-09-04		
#H1649 WAKE IMPAIRED HUNTING REGULATION.	HR	CH. SL 2004-87
06-24-04		
*H1695 KERNERSVILLE ANNEXATION REFERENDA.	HF	POSTPONED INDEFINITELY
H1721 CURRITUCK OCCUPANCY TAX CHANGES.	S	PASSED 3RD READING
06-10-04, 06-30-04		
H1730 HOLDEN BEACH SEWER TREATMENT FEE.	S	PASSED 3RD READING
H1733 SOUTHPORT UTILITY UNDERGROUNDING.	S	PASSED 3RD READING
06-23-04		
H1734 OCEAN ISLE CANAL DREDGING.	SA	AMEND ADOPTED # 1
	S	PASSED 3RD READING
	H	REC TO CONCUR IN H AMEND
	H	CAL PURSUANT RULE 36(B)
06-23-04, 07-12-04		
H1737 WINSTON-SALEM/REIDSVILLE STRUCTURES.	H	CONCURRED IN S/COM SUB
06-24-04, 07-07-04		
S1205 RUTHERFORDTON ABC DISTRIBUTIONS.	H	PASSED 2ND & 3RD READING
06-28-04		
S1209 DURHAM HOUSING APPEALS BOARD.	H	PASSED 2ND & 3RD READING
#S1265 ORANGE/CHATHAM BOUNDARY.	SR	CH. SL 2004-85
06-24-04		
S1315 CABARRUS BOARD OF EQUALIZATION AND REVIEW.	H	PASSED 2ND & 3RD READING
07-07-04		
S1347 KANNAPOLIS ABC STORE ELECTION.	H	PASSED 2ND & 3RD READING
S1355 GOLDSBORO NOTICE/ORDINANCE VIOLATION.	H	PASSED 2ND & 3RD READING
#S1356 GIBSONVILLE WHITSETT BOUNDARY.	SR	CH. SL 2004-86
S1370 GOLDSBORO SURPLUS LOT DISPOSITION.	H	PASSED 2ND & 3RD READING
06-16-04		

SUMMARIES OF AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

S 6. STRENGTHEN LAW ENFORCEMENT VS. VIDEO POKER. Intro. 2/10/03. House committee substitute makes the following changes to 4th edition. Makes technical changes only.

S 20. REGULATE PROFESSIONAL EMPLOYER ORGANIZATION. Intro. 2/10/03. House amendment makes the following changes to 4th edition. Amends GS 58-89-120 to clarify that nothing in sec. shall affect the levy and collection of unemployment insurance contributions or the assignment of discrete employer numbers under GS 96-8 and –9.

S 676. REVISE BANKING LAWS OF NORTH CAROLINA. Intro. 4/2/03. Conference report recommends the following changes to 4th edition to reconcile matters in controversy. Deletes from the previous version Sections 1-3 (amendments to GS 53-1(3a), 53-17.2(e), and 53-17.2(f)); Section 5 (amendments to GS 53-62); Sections 21-25 (amendments to GS 54B-4(b), 54B-22, 54C-4(18), and 54C-23); and Section 26.1- 27 (amendments to GS 105-164.13, 24-1.1A(a), GS 24.1.1A(c2), and GS 24-1.4). Makes effective date Oct. 1, 2004.

S 1063. ELIMINATE IRB WAGE STANDARD. Intro. 5/13/04. Conference report recommends the following changes to 3rd edition to reconcile matters in controversy. Deletes amendment to GS 159C-7(b) and 159D-7(b), which required that the operator of a proposed project agree to provide health insurance for all full-time positions.

HOUSE BILLS

H 142. DARE LOCAL OPTION TAX MENU. Intro. 2/27/03. Senate amendment adopted 7/9/04 makes the following changes to 2nd edition. Makes technical changes only.

H 1046. AGGRESSIVE DRIVING. Intro. 4/10/03. Senate committee substitute makes the following changes to 3rd edition. Reorganizes GS 20-141.6 to provide that person commits the offense of aggressive driving if person violates either GS 20-141 or –141.1 and drives carelessly in willful or wanton disregard of the rights or safety of others, evidenced by commission of two or more of offenses listed in subsection (b) (was, violates GS 20-141 or –141.1, commits two or more listed offenses, and person driving is an immediate hazard to another person). Further amends sec. to provide that offense is a Class 1 (was, Class 2) misdemeanor. Amends GS 20-16(c) to increase to five (was, four) number of points assessed for conviction of aggressive driving and to assess six points (was, five) if person was operating commercial motor vehicle. Changes effective date to Dec. 1, 2004 (was, Dec. 1, 2003). Makes technical changes.

H 1119. ELECTION LAW CHANGES - 1. Intro. 4/10/03. Senate amendment makes the following changes to 4th edition. Provides that amendments to GS 163-132.3 and –132.3A (alterations to precinct boundaries and names) apply to precincts established or changes made on or after Aug. 15, 2004. Deletes provision requiring that any proposed changes for 2004 election shall be completed by Sept. 17, 2004.

H 1345. SPECIAL OFFICER AUTHORITY/DOT TECH. CORR. (NEW). Intro. 5/10/04. Senate committee substitute adopted 7/9/04 makes the following changes to 1st edition. Adds new Sec. 1 which is substantially identical to 1st edition of S 1341, introduced 5/26/04, except enacts new GS 20-49.2(c) granting same supplemental law enforcement authority to State Highway Patrol Motor Carrier Enforcement officers and authorizes Sec'y of Transportation to adopt temporary rules to implement provisions of GS 136-28.1(k) (acceptance of bids by electronic means) effective June 30, 2005.

H 1354. STRENGTHEN DOMESTIC VIOLENCE LAWS. Intro. 5/11/04. Senate amendment makes the following changes to 6th edition. Makes technical changes only.

H 1453. DISCHARGING FIREARM ON SCHOOL PROPERTY. Intro. 5/17/04. Senate amendment adopted 7/9/04 makes the following changes to 3rd edition. Amends GS 14-269.2(g)(4) to permit the governing body of any school to grant permission for weapons to be used on the premises for hunting purposes.

H 1519. CRIME VICTIM FINANCIAL RECOVERY ASSIST. ACT. Intro. 5/19/04. Senate committee substitute adopted 7/9/04 makes the following changes to 2nd edition. Creates new GS 15B-33 (Penalties) and incorporates exising penalty provisions into new subsection. Provides that action to recover an assessement and civil penalty may be initiated 60 days (was, 30 days) after order to pay was issued. Enacts new GS 15B-33 (d) – (f), requiring that assessment be deposited in an escrow account, that Crime Victims Compensation Comm'n notify eligible persons of availability of funds, and that upon the later of the expiration of the three-year statute of limitations or the final determination of any pending claims, unclaimed funds shall be returned to the respondent. Effective Oct. 1, 2004. Makes technical changes.

H 1734. OCEAN ISLE CANAL DREDGING. Intro. 5/27/04. Senate amendment makes the following changes to 2nd edition. Enacts new Sec. 6.1 authorizing municipality that establishes a capital reserve fund under GS Ch. 159 to accumulate funds for services under act to delay providing the service until sufficient funds have accumulated, delay not to exceed five years.

LEGISLATION ENACTED

SL 2004-58 (H 1462). SEVEN DEVILS—REGULATE GOLF CARTS/UTILITY VEHICLES. *AN ACT TO AUTHORIZE THE TOWN OF SEVEN DEVILS TO ADOPT ORDINANCES REGULATING GOLF CARTS AND UTILITY VEHICLES.* Summarized in *Daily Bulletin* 5/17/04. Enacted July 7, 2004. Effective July 7, 2004.

SL 2004-59 (H 1589). MONTGOMERY COMMISSIONER ELECTIONS. *AN ACT CODIFYING THE METHOD OF ELECTING THE MONTGOMERY COUNTY BOARD OF COMMISSIONERS AS ORDERED BY THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF NORTH CAROLINA.* Summarized in *Daily Bulletin* 5/20/04 and 6/3/04. Enacted July 7, 2004. Section 11 is effective January 1, 2006. The remainder of the act is effective July 7, 2004.

SL 2004-60 (H 1613). CHOWAN/ANSON HUNTING LAWS. *AN ACT TO AMEND THE LAW IN CHOWAN COUNTY REGULATING HUNTING ON PRIVATE LAND, TO REGULATE THE DISCHARGE OF A CENTER-FIRE RIFLE IN CHOWAN COUNTY, AND TO ADD CHOWAN AND ANSON COUNTIES TO THOSE COUNTIES IN WHICH IT IS UNLAWFUL TO REMOVE OR DESTROY ELECTRONIC COLLARS ON DOGS.* Summarized in *Daily Bulletin* 5/20/04 and 6/16/04. Enacted July 7, 2004. Sections 2 and 3 are effective October 1, 2004. The remainder of the act is effective July 7, 2004.

SL 2004-61 (H 1614). LENOIR ABC PROFIT DISTRIBUTIONS TO BE ANNUAL. *AN ACT TO PROVIDE THAT THE LENOIR COUNTY ABC BOARD MAY MAKE ANNUAL RATHER THAN QUARTERLY DISTRIBUTIONS OF THE PROCEEDS FROM THE ABC SYSTEM.* Summarized in *Daily Bulletin* 5/20/04. Enacted July 7, 2004. Effective July 7, 2004.

SL 2004-62 (H 1659). PERQUIMANS HUNTING STAND AMENDMENT. *AN ACT TO AMEND THE LAW REGULATING THE USE OF HUNTING STANDS IN PERQUIMANS COUNTY.* Summarized in *Daily Bulletin* 5/25/04. Enacted July 7, 2004. Effective October 1, 2004.

SL 2004-63 (H 1662). CHEROKEE/CLAY/SHOOTING FROM RIGHT-OF-WAY. *AN ACT TO PROHIBIT THE DISCHARGE OF A FIREARM FROM THE RIGHT-OF-WAY OF PUBLIC ROADS IN CHEROKEE AND CLAY COUNTIES.* Summarized in *Daily Bulletin* 5/26/04 and 6/16/04. Enacted July 7, 2004. Effective October 1, 2004.

SL 2004-64 (H 1674). ZEBULON CHARTER AMENDMENT. *AN ACT CONCERNING FILLING OF VACANCIES IN THE BOARD OF COMMISSIONERS OF THE TOWN OF ZEBULON.* Summarized in *Daily Bulletin* 5/26/04 and 6/3/04. Enacted July 7, 2004. Effective July 7, 2004.

SL 2004-65 (S 1093). VARIOUS COUNTIES TAX CERTIFICATION. *AN ACT TO ADD EDGECOMBE, HALIFAX, LENOIR, NASH, PENDER, AND WILSON COUNTIES TO THOSE COUNTIES AUTHORIZED TO USE A TAX CERTIFICATION PROCESS TO ASSIST IN THE COLLECTION OF DELINQUENT PROPERTY TAXES.* Summarized in *Daily Bulletin* 5/13/04, 5/25/04, 6/1/04, and 7/1/04. Enacted July 8, 2004. Effective July 8, 2004.

SL 2004-66 (H 1349). COLUMBUS FOX HUNTING/TRAPPING. *AN ACT TO ESTABLISH SEASONS FOR HUNTING AND TRAPPING FOXES IN COLUMBUS COUNTY.* Summarized in *Daily Bulletin* 5/10/04, 6/23/04, and 6/30/04. Enacted July 8, 2004. Effective October 1, 2004.

SL 2004-67 (H 1509). CABARRUS MEMORIAL HOSPITAL ADVANCED DEGREES. *AN ACT TO PROVIDE THAT CABARRUS MEMORIAL HOSPITAL MAY AWARD ADVANCED DEGREES TO GRADUATES OF ITS NURSING AND ALLIED HEALTH SCIENCES PROGRAMS AS APPROPRIATE.* Summarized in *Daily Bulletin* 5/19/04. Enacted July 8, 2004. Effective July 8, 2004.

SL 2004-68 (H 1529). MOORE SCHOOL BUSES/2005 U.S. OPEN. *AN ACT TO ALLOW THE MOORE COUNTY BOARD OF EDUCATION TO PERMIT THE USE OF PUBLIC SCHOOL ACTIVITY BUSES TO SERVE THE TRANSPORTATION NEEDS OF THE U. S. OPEN GOLF TOURNAMENT.* Summarized in *Daily Bulletin* 5/19/04. Enacted July 8, 2004. Effective July 8, 2004.

SL 2004-69 (H 1669). CLINTON CITY SCHOOLS PROPERTY TRANSFER. *AN ACT AUTHORIZING THE CLINTON CITY BOARD OF EDUCATION TO CONVEY CERTAIN DESCRIBED PROPERTY BY PRIVATE SALE TO THE SAMPSON HIGH SCHOOL ALUMNI ASSOCIATION, INC.* Summarized in *Daily Bulletin* 5/26/04. Enacted July 8, 2004. Effective July 8, 2004.

SL 2004-70 (H 1726). WINSTON-SALEM/ROANOKE RAPIDS CODE ENFORCEMENT. *AN ACT AUTHORIZING THE CITY OF WINSTON-SALEM TO ORDER OWNERS OF RESIDENTIAL PROPERTY TO REPAIR RATHER THAN VACATE HOUSING TO MEET MINIMUM CODE STANDARDS.* Summarized in *Daily Bulletin* 5/27/04 and 6/24/04. Enacted July 8, 2004. Effective July 8, 2004.

SL 2004-71 (H 1728). LAKE ROYALE POLICE AUTHORITY. *AN ACT TO AUTHORIZE THE LAKE ROYALE POLICE DEPARTMENT TO ENFORCE THE LAW ON THE WATERS OF LAKE ROYALE AND TO COMPETE FOR GRANTS FOR THE PURCHASE OF LAW ENFORCEMENT EQUIPMENT.* Summarized in *Daily Bulletin* 5/27/04, 6/24/04, and 6/30/04. Enacted July 8, 2004. Effective July 8, 2004.

SL 2004-72 (H 257). UNAUTHORIZED USE OF CB EQUIPMENT. *AN ACT TO PROHIBIT THE USE OF CITIZENS BAND RADIO EQUIPMENT NOT AUTHORIZED BY THE FEDERAL COMMUNICATIONS COMMISSION.* Summarized in *Daily Bulletin* 3/6/03, 4/28/03, 4/29/03, and 6/15/04. Enacted July 8, 2004. Effective December 1, 2004.

SL 2004-73 (H 1456). SBE STUDY USE OF AT-RISK FUNDS. *AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE HOUSE INTERIM COMMITTEE ON PROVIDING AN APPROPRIATE EDUCATION FOR STUDENTS ON LONG-TERM SUSPENSION TO DIRECT THE STATE BOARD OF EDUCATION TO DETERMINE A SPECIFIED PERCENTAGE OF AT-RISK FUNDS FOR SERVICES TO STUDENTS WHO ARE SUSPENDED FROM SCHOOL FOR MORE THAN TEN DAYS.* Summarized in *Daily Bulletin* 5/17/04 and 5/26/04. Enacted July 8, 2004. Effective July 8, 2004.

SL 2004-74 (S 51). AMEND FRANCHISE TAX LOOPHOLE. *AN ACT TO CLOSE A LOOPHOLE THAT ALLOWS CORPORATIONS TO CONTINUE AVOIDING FRANCHISE TAXES AND TO REMOVE PROVISIONS THAT COULD RESULT IN FRANCHISE TAXES ON ASSETS NOT INDIRECTLY OWNED BY CORPORATIONS.* Summarized in *Daily Bulletin* 2/17/03, 7/10/03, and 6/15/04. Enacted July 8, 2004. Section 1 is effective January 1, 2003, and applies to taxes due on or after that date. The remainder of this act is effective January 1, 2005, and applies to taxes due on or after that date.

SL 2004-75 (S 1161). MILITARY PLANNING NOTICES. *AN ACT TO REQUIRE COUNTIES AND CITIES NEAR MILITARY BASES TO GIVE NOTICE OF LAND-USE PLANNING CHANGES TO THE MILITARY BASES.* Summarized in *Daily Bulletin* 5/19/04, 6/9/04, and 6/16/04. Enacted July 8, 2004. Effective July 1, 2004.

SL 2004-76 (H 1455). SBE STUDY ALP FUNDING. *AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE HOUSE INTERIM COMMITTEE ON PROVIDING AN APPROPRIATE EDUCATION FOR STUDENTS ON LONG-TERM SUSPENSION TO DIRECT THE STATE BOARD OF EDUCATION TO DEVELOP AND RECOMMEND A FUNDING FORMULA FOR ALTERNATIVE LEARNING PROGRAMS AND ALTERNATIVE SCHOOLS.* Summarized in *Daily Bulletin* 5/17/04. Enacted July 8, 2004. Effective July 8, 2004.

SL 2004-77 (H 1555). TAG AGENTS TITLE TRANSACTION FEE. *AN ACT TO PROVIDE AN ADDITIONAL FEE TO BE PAID TO COMMISSION CONTRACT AGENTS FOR TRANSACTIONS RELATED TO MOTOR VEHICLE TITLES AND TO REQUIRE THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE TO STUDY CUSTOMER SERVICE PROVIDED BY THE DIVISION OF MOTOR VEHICLES AND THE COMMISSION CONTRACT AGENTS.* Summarized in *Daily Bulletin* 5/20/04, 6/9/04, and 6/17/04. Enacted

July 8, 2004. Effective July 8, 2004. Sections 1 and 2 become effective October 1, 2004, and apply to fees assessed on or after that date.

SL 2004-78 (H 354). AMEND DISABILITY LAWS. *AN ACT TO AMEND THE STATE DISABILITY INCOME PLAN.* Summarized in *Daily Bulletin* 7/20/03 and 6/24/04. Enacted July 8, 2004. Sections 1–3 are effective retroactively from and after July 1, 2003. Section 4 is effective August 1, 2005, and applies only to persons who are not vested in the disability plan in question on that date. Section 5 is effective July 8, 2004

SL 2004-79 (H 26). CAMERA DEFEATING LICENSE COVERS ILLEGAL. *AN ACT TO CLARIFY THAT DEVICES DESIGNED TO COVER REGISTRATION PLATES TO PREVENT THE TAKING OF A CLEAR PHOTOGRAPH BY TRAFFIC CONTROL SYSTEMS USING CAMERAS ARE UNLAWFUL.* Summarized in *Daily Bulletin* 2/17/03, 3/31/03, 4/15/03, and 6/16/04. Enacted July 8, 2004. Effective October 1, 2004.

SL 2004-80 (S 582). PUBLIC HEALTH PREPAREDNESS AND RESPONSE. *AN ACT TO IMPROVE PUBLIC HEALTH PREPAREDNESS AND RESPONSE.* Summarized in *Daily Bulletin* 6/2/04. Enacted July 8, 2004. Effective July 8, 2004.

SL 2004-81 (H 1478). RETIREMENT/TEACHER EXCHANGE PROGRAMS. *AN ACT TO MAKE A TECHNICAL CORRECTION TO THE LAW CLARIFYING THE STATUS OF TEACHERS PARTICIPATING IN FOREIGN EXCHANGE PROGRAMS FOR PURPOSES OF RETIREMENT AND TENURE.* Summarized in *Daily Bulletin* 5/17/04. Enacted July 8, 2004. Effective July 1, 2004.

SL 2004-82 (S 1086). PUBLIC TRANSIT DECELERATION LAMPS. *AN ACT TO AUTHORIZE REAR HIGH MOUNTED FLASHING DECELERATION LAMPS ON PUBLIC TRANSIT VEHICLES.* Summarized in *Daily Bulletin* 5/13/04 and 6/7/04. Enacted July 8, 2004. Effective July 1, 2004.

SL 2004-83 (S 859). RIVER BASINS ADVISORY COMMISSIONS. *AN ACT TO ESTABLISH THE CATAWBA/WATEREE RIVER BASIN ADVISORY COMMISSION AND THE YADKIN/PEE DEE RIVER BASIN ADVISORY COMMISSION.* Summarized in *Daily Bulletin* 4/3/03, 6/12/03, 6/15/04, and 6/23/04. Enacted July 8, 2004. Effective July 8, 2004.

SL 2004-84 (H 1303). NONPROFITS EXEMPT FROM ADMISSIONS TAX. *AN ACT TO REDUCE PRIVILEGE AND EXCISE TAXES.* Summarized in *Daily Bulletin* 5/15/03, 6/23/03, 6/8/04, 6/17/04, 6/23/04, and 6/28/04. Enacted July 8, 2004. Section 1 is effective July 1, 2004. Section 2 is effective for reporting periods beginning on or after August 1, 2004.

SL 2004-85 (S 1265). ORANGE/CHATHAM BOUNDARY. *AN ACT TO ESTABLISH THE BOUNDARY LINE BETWEEN ORANGE AND CHATHAM COUNTIES TO MEMORIALIZE A 1989 AGREEMENT BETWEEN THOSE TWO COUNTIES WHICH WAS ALREADY REFLECTED IN THE 2000 CENSUS.* Summarized in *Daily Bulletin* 6/24/04. Enacted July 9, 2004. Effective January 1, 2005, except it also applies as to the 2004 election cycle.

SL 2004-86 (S 1356). GIBSONVILLE WHITSETT BOUNDARY. *AN ACT TO TRANSFER CERTAIN PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF GIBSONVILLE TO THE TOWN OF WHITSETT, SUCH PROPERTY BEING TOTALLY SURROUNDED BY THE TOWN OF WHITSETT.* Summarized in *Daily Bulletin* 5/27/04. Enacted July 9, 2004. Effective June 30, 2004.

SL 2004-87 (H 1649). WAKE IMPAIRED HUNTING REGULATION. *AN ACT TO AUTHORIZE WAKE COUNTY TO REGULATE THE USE OF IMPAIRING SUBSTANCES WHILE HUNTING WITH FIREARMS.* Summarized in *Daily Bulletin* 5/25/04 and 6/24/04. Enacted July 9, 2004. Effective July 9, 2004.

SL 2004-88 (H 1352). EMERGENCY FUNDING FOR ONE NC & NEIT. *AN ACT TO PROVIDE EMERGENCY FUNDING FOR THE ONE NORTH CAROLINA FUND AND THE NEW AND EXPANDING INDUSTRY TRAINING PROGRAM, TO CODIFY PROVISIONS RELATED TO THE ONE NORTH CAROLINA FUND, TO APPROPRIATE FUNDS TO THE RURAL ECONOMIC DEVELOPMENT CENTER TO BE USED FOR ECONOMIC INFRASTRUCTURE, AND TO MAKE NECESSARY TRANSITIONAL ADJUSTMENTS TO THE STATE BUDGET.* Summarized in *Daily Bulletin* 5/10/04, 5/19/04, 6/16/04, and 6/30/04. Enacted July 9, 2004. Effective July 1, 2004, except as otherwise provided.

NEXT SESSIONS

July 13, 2004

HOUSE convenes at 1:00 P.M.

SENATE convenes at 2:00 P.M

.41
5: 2004/37

Daily Bulletin

ACTIONS BY THE NORTH CAROLINA GENERAL ASSEMBLY

Institute *of* Government—School of Government
The University of North Carolina at Chapel Hill
Legislative Reporting Service, Box 7294 State Legislative Building, Raleigh, NC 27601
Phone 919.733.2484 Fax 919.715.3464

House Legislative Day 142 Vol. 2004, No. 37 Senate Legislative Day 144

Tuesday, July 13, 2004

N.C. DOCUMENTS CLEARINGHOUSE
JUL 2 7 2004
STATE LIBRARY OF NORTH CAROLINA

BILLS INTRODUCED TODAY

NONE

CALENDAR ACTION
July 13, 2004

NOTES
1. Amendments and committee substitutes adopted today are summarized in the following section of today's Daily Bulletin.
2. The dates on which previous amendments or committee substitutes were adopted are listed below bill numbers.
3. The action "Cal Pursuant Rule 36b" indicates that the bill has been reported by committee and is awaiting calendaring by the Rules Committee.
4. Enacted bills are indicated by #, failed bills by *.

PUBLIC BILLS

H0173 COSMETIC ART/CONTINUING ED/PENALTY CHANGE.	SA	AMEND ADOPTED # 1
	S	PASSED 2ND READING
07-08-03, 07-09-03, 07-01-04, 07-07-04, 07-13-04		
H0356 FEES.	H	REPTD FAV TO CONCUR
	H	CAL PURSUANT RULE 36(B)
	H	PLACED ON CAL FOR 7/14/2004
07-01-04		
H0817 GUN SALE LEGAL W/CONCEALED HANDGUN PERMIT.	H	CONF COM REPORTED
	H	PLACED ON CAL FOR 7/14/2004
	S	CONF COM REPORTED
	S	PLACED ON CAL FOR 7/14/2004
06-15-04, 07-13-04		
H0831 SALTWATER FISHING FUND/HOLDOVER APPOINTMENTS.	H	POSTPONED TO 7/14/2004
05-20-03, 07-09-03, 07-17-03, 07-18-03, 07-19-03, 07-06-04		
H0859 BOARD OF MORTUARY SCIENCE.	S	REPTD FAV COM SUBSTITUTE
	SA	COM SUBSTITUTE ADOPTED
04-23-03, 04-29-03, 04-30-03, 07-13-04		
H0951 CREATE CIVIL NO-CONTACT PROTECTIVE ORDERS.	H	CONCURRED IN S/COM SUB
04-30-03, 07-06-04		
H0965 INCREASE PENALTIES FOR FAILURE TO YIELD.	H	CONCURRED IN S/COM SUB
04-29-03, 04-30-03, 06-30-04		

This publication is printed on permanent, acid-free paper in compliance with the North Carolina General Statutes.
Institute of Government—School of Government
The University of North Carolina at Chapel Hill
© 2004

H1046 AGGRESSIVE DRIVING.	S	WITHDRAWN FROM CAL
	S	PLACED ON CAL FOR 7/14/2004
04-23-03, 04-29-03, 07-12-04		
H1083 WATER CONSERVATION/SUBMETERS.	H	RATIFIED
07-08-04		
H1107 FORTIFY AGAINST UNAUTHORIZED INSURANCE.	H	REPTD FAV TO CONCUR
	H	CAL PURSUANT RULE 36(B)
05-01-03, 07-01-04		
H1112 PHOSPHORUS NUTRIENT MGT./ANIMAL FEEDLOTS.	H	CONCURRED ON 3RD READING
06-18-03, 06-19-03, 07-08-04, 07-09-04		
H1119 ELECTION LAW CHANGES - 1.	H	REC TO CONCUR S COM SUB
	H	CAL PURSUANT RULE 36(B)
04-22-03, 04-29-03, 07-09-04, 07-12-04		
H1203 AMEND/STUDY MOTOR FUEL MARKETING ACT.	S	REPTD FAV COM SUBSTITUTE
	SA	COM SUBSTITUTE ADOPTED
	S	RE-REF COM ON FINANCE
04-29-03, 07-13-04		
H1345 SPECIAL OFFICERS AUTHORITY/DOT TECH. CORR.	S	PASSED 3RD READING
	H	REC TO CONCUR S COM SUB
	H	CAL PURSUANT RULE 36(B)
	H	PLACED ON CAL FOR 7/14/2004
07-09-04		
H1354 STRENGTHEN DOMESTIC VIOLENCE LAWS.	H	REC TO CONCUR S COM SUB
	H	CAL PURSUANT RULE 36(B)
	H	PLACED ON CAL FOR 7/14/2004
06-16-04, 06-17-04, 06-21-04, 07-08-04, 07-09-04, 07-12-04		
H1420 REGIONAL AGENCY DEBT SETOFF.	H	CONCURRED IN S AMEND
07-06-04		
H1429 AMEND FISHERY MANAGEMENT PLAN REQUIREMENTS.	HA	REPTD FAV COM SUBSTITUTE
	H	CAL PURSUANT RULE 36(B)
	H	PLACED ON CAL FOR 7/14/2004
07-13-04		
H1449 APA TECHNICAL/CLARIFYING CHANGES.	H	RATIFIED
06-15-04, 06-30-04, 07-08-04		
H1453 DISCHARGING FIREARM ON SCHOOL PROPERTY.	H	PLACED ON CAL FOR 7/14/2004
06-29-04, 07-07-04, 07-09-04		
H1464 SCHOOL CALENDAR CHANGES.	H	PASSED 2ND READING
07-01-04		
H1513 INCREASE LOCAL GOV'T DEATH BENEFIT.	H	PRES. TO GOV. 7/12/2004
H1518 REQUIRE PAYMENT OF RESTITUTION FOR EXPUNCTION.	H	RATIFIED
06-30-04		
H1519 CRIME VICTIM FINANCIAL RECOVERY ASSIST. ACT.	S	PASSED 2ND & 3RD READING
	H	REC TO CONCUR S COM SUB
	H	CAL PURSUANT RULE 36(B)
06-02-04, 07-09-04		
H1594 ALARM SYS LIC. FEES/REG. AGENCY SETOFF	S	CONF COM APPOINTED
H1602 DELAYS DOLLAR LIMIT ON CREDIT FOR PARTNERSHIPS.	H	RATIFIED
06-28-04, 07-01-04, 07-08-04		
H1699 UNC NONAPPROPRIATED CAPITAL PROJECTS.	S	REPTD FAV
S0006 STRENGTHEN LAW ENFORCEMENT VS. VIDEO POKER	H	PASSED 2ND READING
04-17-03, 06-30-04, 07-08-04, 07-12-04		

S0020 REGULATE PROFESSIONAL EMPLOYER ORGANIZATION.	H	RECALLED FROM SENATE
	H	RECONSIDERED 3RD READING
	HA	AMEND ADOPTED #4
	H	PASSED 3RD READING
07-10-03, 06-28-04, 07-07-04, 07-12-04, 07-13-04		
S0052 CLARIFICATIONS REGARDING MEDIATION	HA	REPTD FAV COM SUBSTITUTE
	H	CAL PURSUANT RULE 36(B)
04-29-03, 04-30-03, 07-13-04		
S0074 NC VINEYARD AMENDMENTS	H	PLACED ON CAL FOR 7/14/2004
04-29-03, 07-09-04		
S0464 NRA SPECIAL PLATE.	H	PASSED 3RD READING
	S	REC TO CONCUR H COM SUB
	S	PLACED ON CAL FOR 7/14/2004
07-15-03, 07-16-03, 06-16-04, 07-08-04		
S0470 COMPENSATION OF TRUSTEES/OTHER FIDUCIARIES.	S	CONCURRED IN H/COM SUB
04-14-03, 06-30-04		
S0676 REVISE THE BANKING LAWS OF NORTH CAROLINA.	HA	CONF REPORT ADOPTED
05-13-03, 07-10-03, 07-19-03, 07-09-04, 07-12-04		
S0754 STOCK CAR RACING THEME SPECIAL PLATES.	S	PRES. TO GOV. 7/12/2004
06-17-04		
S0823 ENVIRONMENTAL TECHNICAL CORRECTIONS.	HA	REPTD FAV COM SUBSTITUTE
	H	CAL PURSUANT RULE 36(B)
07-13-04		
S0848 ADVANCED VEHICLE RESEARCH CENTER INCENTIVE.	HA	AMEND ADOPTED #1
	H	PASSED 3RD READING
04-22-03, 07-07-04, 07-13-04		
S0852 ORGAN DONOR ORG'S./ACCESS TO DMV RECORDS.	S	RATIFIED
06-05-03, 07-15-03, 07-17-03, 07-01-04		
S0991 IMPROVE STATE IT EFFICIENCY & PROJ. MGM'T.	H	CONF COM APPOINTED
05-01-03, 07-01-04		
S1043 AGGREGATE TRUCK WEIGHT LIMITS.	S	RATIFIED
06-24-04, 06-30-04		
S1054 INCREASE METHAMPHETAMINE PENALTIES.	H	PLACED ON CAL FOR 7/14/2004
05-27-04, 07-06-04, 07-09-04		
S1063 ELIMINATE IRB WAGE STANDARD.	SA	CONF REPORT ADOPTED
06-09-04, 06-21-04, 07-12-04		
S1078 VEHICLE CONTROL SIGNS AND SIGNALS.	S	PRES. TO GOV. 7/12/2004
06-07-04		
S1089 DOT AUTHORITY TO RECEIVE FUNDS FROM LOCAL GOV.	H	REPTD FAV
	H	CAL PURSUANT RULE 36(B)
S1145 REVENUE LAWS TECHNICAL CHANGES.	S	CONCURRED ON 2ND READING
06-07-04, 06-28-04, 07-07-04		
S1148 CARE FOR THE MENTALLY ILL IN LTC FACILITIES.	S	REC TO CONCUR H COM SUB
	S	PLACED ON CAL FOR 7/14/2004
06-02-04, 07-01-04		
S1171 MOTOR FUELS TAX CHANGES.	H	WITHDRAWN FROM CAL
	H	RE-REF COM ON APPROPRIATIONS
	H	AMEND PENDING #1
06-09-04, 06-16-04, 06-30-04		
S1202 SEPTIC SYSTEM SETBACKS FOR PRE-1977 LOTS.	S	PRES. TO GOV. 7/12/2004
06-29-04		
S1210 PHASE II STORMWATER MANAGEMENT-1.	S	PRES. TO GOV. 7/12/2004
06-29-04, 06-30-04		

S1218 CHILD RESTRAINT SYSTEMS MODIFIED.	S	REC TO CONCUR H COM SUB
	S	PLACED ON CAL FOR 7/14/2004
06-23-04, 06-30-04		
S1225 2004 TECHNICAL CORRECTIONS ACT.	S	AMENDMENT WITHDRAWN # 1
	S	PASSED 2ND READING
07-12-04		
S1244 NC CEMETERY ACT/FEES/BILL LEE TIERS.	S	CONCURRED ON 3RD READING
06-17-04, 07-07-04		
S1312 LOCAL GOV'T EMPLOYEES/457 PLAN.	S	PRES. TO GOV. 7/12/2004
06-02-04, 06-23-04		
S1384 AMEND BARBERING LAWS.	H	CONF COM APPOINTED
06-17-04, 07-01-04		

LOCAL BILLS

H1348 CAMDEN COUNTY OCCUPANCY TAX.	S	PASSED 2ND READING
07-12-04		
H1547 CHAPEL HILL OPEN SPACE.	S	WITHDRAWN FROM CAL
	S	PLACED ON CAL FOR 7/14/2004
06-02-04, 07-09-04		
H1688 CONCORD ANNEXATION EFFECTIVE DATE.	S	PASSED 2ND READING
H1700 DURHAM VEHICLE TAX SUNSET EXTENDED/USES.	S	REPTD FAV
	S	PLACED ON CAL FOR 7/13/2004
	S	PASSED 2ND READING
07-07-04		
H1721 CURRITUCK OCCUPANCY TAX CHANGES.	H	RATIFIED
06-10-04, 06-30-04		
H1730 HOLDEN BEACH SEWER TREATMENT FEE.	H	RATIFIED
H1733 SOUTHPORT UTILITY UNDERGROUNDING.	H	RATIFIED
06-23-04		
H1734 OCEAN ISLE CANAL DREDGING.	H	PLACED ON CAL FOR 7/14/2004
06-23-04, 07-12-04		
H1737 WINSTON-SALEM/REIDSVILLE STRUCTURES.	H	RATIFIED
06-24-04, 07-07-04		
S1060 TOWN OF FRANKLIN OCCUPANCY TAX.	H	REPTD FAV
	H	CAL PURSUANT RULE 36(B)
	H	PLACED ON CAL FOR 7/14/2004
S1181 MODIFY ALLEGHANY OCCUPANCY TAX .	H	REPTD FAV
	H	CAL PURSUANT RULE 36(B)
	H	PLACED ON CAL FOR 7/14/2004
06-02-04		
S1205 RUTHERFORDTON ABC DISTRIBUTIONS.	S	RATIFIED
06-28-04		
S1209 DURHAM HOUSING APPEALS BOARD.	S	RATIFIED
S1305 ANGIER SATELLITE ANNEXATION.	S	CONCURRED ON 2ND READING
06-07-04, 07-01-04		
S1315 CABARRUS BOARD OF EQUALIZATION AND REVIEW.	S	REC TO CONCUR H COM SUB
	S	PLACED ON CAL FOR 7/14/2004
07-07-04		
S1343 WHITEVILLE ANNEXATION.	H	REPTD FAV
	H	CAL PURSUANT RULE 36(B)
	H	PLACED ON CAL FOR 7/14/2004
S1347 KANNAPOLIS ABC STORE ELECTION.	S	RATIFIED
S1355 GOLDSBORO NOTICE/ORDINANCE VIOLATION.	S	RATIFIED
S1370 GOLDSBORO SURPLUS LOT DISPOSITION.	S	RATIFIED
06-16-04		

SUMMARIES OF AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

S 20. REGULATE PROFESSIONAL EMPLOYER ORGANIZATION. Intro. 2/10/03. House amendment makes the following changes to 4th edition. Amends new GS 58-89-120 to provide that a person licensed to provide professional employer services is considered the employer of an assigned employee for the purposes of Ch. 105 relating to taxation.

S 52. CLARIFICATIONS REGARDING MEDIATION (NEW). Intro. 2/17/03. House committee substitute makes the following changes to 3rd edition. Deletes all provisions of 3rd edition. Adds new section GS 116-3.3 addressing the discoverability and admissibility of information from mediation of a personnel matter involving the University of North Carolina or a constituent institution. Excludes such information from the state's public records law. Amends GS 84-2.1 to provide that the term to "practice law" does not encompass certain activities of mediators of personnel matters involving the University. Amends the criminal procedure act (GS Ch. 15A) by incorporating provisions identical to those included in secs. 11-20 of Senate Committee Substitute for H 1139 (4th edition engrossed 7/6/04).

S 848. ADVANCED VEHICLE RESEARCH CENTER INCENTIVE. Intro. 4/3/03. House amendment makes the following changes to 3rd edition. Amends GS 105-129.16D to provide that taxpayer is allowed credit for construction or operation of center in enterprise tier one area only. Makes technical and conforming changes.

S 1225. 2004 TECHNICAL CORRECTIONS ACT. Intro. 5/20/04. Senate committee substitute adopted 7/12/04 makes the following changes to 1st edition. Deletes all existing amendments and replaces them with the following substantive amendments. Amends GS 62-3(23)i. to exclude Office of Information Technology Services (was, Office of the State Controller) from definition of "public utility." Amends GS 1a-1, Rule 5(d), effective Oct. 1, 2004, to include objections to subpoenas under Rule 45(c)(3) in the list of documents that should not be filed with court. Makes GS 10A-16(d) (validating certain notarial acts) applicable to notarial acts performed on or before Feb. 1, 2004 (was, March 1, 2003). Amends GS 14-33(d) to provide that person who inflicts serious injury in the course of an assault or battery is guilty of a Class A1 misdemeanor and that person shall be placed on supervised probation if sentenced to community punishment (was, person convicted shall be placed on supervised probation). Enacts new GS 18B-103(11) (exemptions from alcohol regulations) to exempt consumption of alcoholic beverages under the direct supervision of a college or university instructor when drinking alcoholic beverages is required as part of the curriculum. Amends GS 18B-1006(m)(2), authorizing issuance of alcohol sales permits under subsection if all listed requirements are satisfied (was, any). Amends GS 19A-24(1) to provide that a boarding kennel that has a ratio of dogs to employees of not more than 10:1 shall not be subject to any dog day care services regulations which restrict the number of dogs that are permitted within any primary enclosure. Amends GS 20-16.1(b)(3) (conviction of excessive speeding outside state) to provide that person convicted of offense may apply to the district court judge (was, resident judge of the superior court) for limited driving privileges. Amends GS 47-2 to permit the execution of instruments before an associate consul or any other person authorized by federal law to acknowledge documents as consular officers. Enacts new GS 47-50.1 validating deeds or conveyances which were signed and acknowledged but where the register of deeds failed to certify the correctness of the acknowledgment as required by GS 47-14(a), applicable to "all cases prior to Oct. 1, 2004."

Amends GS 55B-2(6) to include licensed speech and language pathologists and audiologists in definition of "professional service." Amends GS 58-3-33(a)(1) to require that person requesting information on policy limits or coverage under automobile insurance policy must first submit all medical records pertaining to the person's claimed injury in addition to release of medical records. Amends GS 58-85-1 to provide that Firemen's Relief Fund shall be used as a fund for the relief of county fire marshals who are members of NC Firemen's Ass'n. Further amends GS 58-85-20 to provide that any county fire marshal may become a member of Ass'n. Amends GS 62-82(a) (application of certificate for generating facility) to exempt solar photovoltaic facility applicants of 10 kilowatts or less from requirement to publish public notice in newspapers. Amends GS 66-27.1(a) to exempt tankless water heaters from relief valve requirements. Amends GS 90-171.21(d), effective Jan. 1, 2005, to require that members of the Board of Nursing who are registered nurses or licensed practical nurses shall be continuously employed in at least 50% of a full-time position. Amends GS 115C-522(a) to exempt purchases of

published books, manuscripts, maps, pamphlets, and periodicals from compliance with GS Ch. 143, Art. 8, effective April 1, 2004.

Amends GS 120-87(a) add nonprofit corporation or organization with which legislator is associated to list of activities for which legislator may not use or disclose confidential information for legislator's financial gain. Amends GS 120-96(3) to require disclosure of loans of more than $5,000 (was, any loan) and enacts new GS 120-96(6a) to require that legislator's statement of economic interest include a list of nonprofit entities with which person is associated and which receive state funds. Amends GS 120-85 to include definitions of "economic interest" and "nonprofit corporation with which associated." Amends GS 120-99 to provide that a cochair may preside anytime during the absence of the presiding cochair or upon presiding co-chair's designation, and that if cochair gives written notice of co-chair's inability to preside over a matter, a member shall be designated to serve as cochair for that particular purpose. Amends GS 143-34.1(d) to delete references to the carry over of leave as a form of deferred compensation. Repeals GS Ch. 143, Art. 3A, Part 3, authorizing governmental entities to dispose of surplus property through an electronic auction service. Enacts new GS 143-143.5 to provide that notwithstanding any other law or rule, a horizontal travel distance of 300 feet for access to public use toilets in shopping malls shall be allowed. Enacts new GS 157-9(d) prohibiting a housing authority from erecting or maintaining any fence or gate structure that is electrified or that includes spikes or barbed wire. Amends GS 160A-392 to delete references to overlay or special use districts, effective Oct. 1, 2004. Amends following acts if they become law: (1) H 142, to authorize Dare County Board of Comm'rs to levy a privilege tax of up to $300 per establishment (was, per rental unit), and to provide that "establishment" has same meaning as in GS 105-129.2; (2) H 1414, Sec. 7.22.(a), to require that school participants agree upon the minimum age of the student who participates in workforce development pilot project; and (3) H 1414, Sec. 8.17, to enact new subsection providing that no request for proposals need be issued for any contract under subdivision (a)(2) of sec. Enacts new Sec. 39, requiring that the Dep't of Transportation erect highway directional guide signs at the freeway ramp terminals for colleges or universities with a NC campus located within one mile from the freeway ramp terminal under certain circumstances. Makes technical corrections.

HOUSE BILLS

H 817. GUN SALE LEGAL W/ CONCEALED HANDGUN PERMIT. Intro. 4/1/03. Conference report recommends the following changes to 2nd edition to reconcile matters in controversy. Deletes provisions related to special license plates representing the National Rifle Association of America.

H 859. BOARD OF FUNERAL SERVICE (NEW). Intro. 4/7/03. Senate committee substitute makes the following changes to 3rd edition. Amends GS 90-210.18A to change name to Board of Funeral Service (was, Board of Mortuary Service). Establishes effective date of Jan. 1, 2005. Makes technical changes.

H 1203. AMEND/STUDY MOTOR FUEL MARKETING ACT (NEW). Intro. 4/10/03. Senate committee substitute makes the following changes to 2nd edition. Deletes amendments to GS 75-81 through GS 75-87. Sec. 1 amends GS 75-88(b) to clarify that subsection is applicable only to entities that are selling motor fuel below cost. Enacts new Sec. 2 creating 10-member Legis. Study Comm. on the Motor Fuels Marketing Act, Comm. to review GS Ch. 75, Art. 3, including whether the current definition of "cost" provides an adequate standard for cases prosecuted under the Motor Fuels Marketing Act or whether an external benchmark should be adopted, whether requirement of an intent to injure competition is consistent with state and federal law regarding predatory pricing, the economic effect of the Act, and any fire, public safety, and environmental issues raised by limiting fuel purchases. Requires that Comm. report recommendations to the 2005 General Assembly upon convening. Sec. 1 effective Oct. 1, 2004 (was, Oct. 1, 2003).

H 1348. CAMDEN OCCUPANCY/HYDE MEALS TAXES (NEW). Intro. 5/10/2004. Senate committee substitute adopted 7/12/04 makes the following changes to 1st edition. Authorizes Hyde County Board of Comm'rs to levy a prepared food tax of up to one percent. Identifies several exemptions from such a food tax. Provides for the collection and administration of the tax and requires the county to refund taxes paid by certain nonprofit and governmental entities.

NEXT SESSIONS

July 14, 2004

HOUSE convenes at 2:00 p.m.

SENATE convenes at 2:00 p.m.

25: 2004/38

Daily Bulletin

ACTIONS BY THE NORTH CAROLINA GENERAL ASSEMBLY

Institute *of* Government—School of Government
The University of North Carolina at Chapel Hill
Legislative Reporting Service, Box 7294 State Legislative Building, Raleigh, NC 27601
Phone 919.733.2484 Fax 919.715.3464

House Legislative Day 143 | Vol. 2004, No. 38 | Senate Legislative Day 145

July 14, 2004

N.C. DOCUMENTS CLEARINGHOUSE
JUL 2 7 2004
STATE LIBRARY OF NORTH CAROLINA RALEIGH

BILLS INTRODUCED TODAY

NONE

CALENDAR ACTION
July 14, 2004

NOTES
1. Amendments and committee substitutes adopted today are summarized in the following section of today's Daily Bulletin.
2. The dates on which previous amendments or committee substitutes were adopted are listed below bill numbers.
3. The action "Cal Pursuant Rule 36b" indicates that the bill has been reported by committee and is awaiting calendaring by the Rules Committee.
4. Enacted bills are indicated by #, failed bills by *.

PUBLIC BILLS

H0173 COSMETIC ART/CONTINUING ED/PENALTY CHANGE.	S PASSED 3RD READING
	S ENGROSSED
07-08-03, 07-09-03, 07-01-04, 07-07-04, 07-13-04	
H0356 FEES.	H CONCURRED ON 2ND READING
07-01-04	
H0669 HOSPITAL LICENSURE/CRITICAL ACCESS HOSPITAL.	S REPTD FAV COM SUBSTITUTE
	SA COM SUBSTITUTE ADOPTED
	S PLACED ON CAL FOR 7/14/2004
	S PASSED 2ND & 3RD READING
04-09-03, 07-14-04	
H0817 GUN SALE LEGAL W/CONCEALED HANDGUN PERMIT.	SA CONF REPORT ADOPTED
H0817 GUN SALE LEGAL W/CONCEALED HANDGUN PERMIT	HA CONF REPORT ADOPTED
06-15-04, 07-13-04	
H0859 BOARD OF FUNERAL SERVICE.	S PASSED 2ND READING
04-23-03, 04-29-03, 04-30-03, 07-13-04	
H0921 EXPEDITE CERTAIN HIGHWAY CORRIDORS.	H RE-REF COM ON APPROPRIATIONS
06-05-03	
H0951 CREATE CIVIL NO-CONTACT PROTECTIVE ORDERS.	H RATIFIED
04-30-03, 07-06-04	

This publication is printed on permanent, acid-free paper in compliance with the North Carolina General Statutes.
Institute of Government—School of Government
The University of North Carolina at Chapel Hill
© 2004

H0965 INCREASE PENALTIES FOR FAILURE TO YIELD.	H	RATIFIED
04-29-03, 04-30-03, 06-30-04		
H1046 AGGRESSIVE DRIVING.	S	PASSED 2ND & 3RD READING
04-23-03, 04-29-03, 07-12-04		
H1083 WATER CONSERVATION/SUBMETERS.	H	PRES. TO GOV. 7/13/2004
07-08-04		
H1112 PHOSPHORUS NUTRIENT MGT./ANIMAL FEEDLOTS.	H	RATIFIED
06-18-03, 06-19-03, 07-08-04, 07-09-04		
H1264 REGULATORY FEES.	H	WITHDRAWN FROM COMM
	H	CAL FOR IMMEDIATE CONSID
	H	FAILED CONCUR IN COM SUB
	H	CONF COM APPOINTED
06-10-04, 07-07-04		
H1345 SPECIAL OFFICERS AUTHORITY/DOT TECH. CORR.	H	FAILED CONCUR IN COM SUB
07-09-04		
H1354 STRENGTHEN DOMESTIC VIOLENCE LAWS.	H	CONCURRED IN S/COM SUB
06-16-04, 06-17-04, 06-21-04, 07-08-04, 07-09-04, 07-12-04		
H1420 REGIONAL AGENCY DEBT SETOFF.	H	RATIFIED
07-06-04		
H1429 AMEND FISHERY MANAGEMENT PLAN REQUIREMENTS.	H	PASSED 2ND & 3RD READING
07-13-04		
H1449 APA TECHNICAL/CLARIFYING CHANGES.	H	PRES. TO GOV. 7/13/2004
06-15-04, 06-30-04, 07-08-04		
H1453 DISCHARGING FIREARM ON SCHOOL PROPERTY.	H	CONCURRED IN S/COM SUB
06-29-04, 07-07-04, 07-09-04		
H1463 HEALTH INSURANCE INNOVATIONS COMMISSION.	S	CONF COM APPOINTED
06-09-04, 06-10-04, 06-23-04, 06-28-04		
H1464 SCHOOL CALENDAR CHANGES.	H	PASSED 3RD READING
07-01-04		
H1518 REQUIRE PAYMENT OF RESTITUTION FOR EXPUNCTION.	H	PRES. TO GOV. 7/13/2004
06-30-04		
H1594 ALARM SYSTEMS LIC. FEES/REG. AGENCY SETOFF.	S	CONF COM REPORTED
	S	PLACED ON CAL FOR 7/15/2004
06-24-04, 07-08-04, 07-14-04		
H1602 DELAYS DOLLAR LIMIT ON CREDIT FOR PARTNERSHIPS.	H	PRES. TO GOV. 7/13/2004
06-28-04, 07-01-04, 07-08-04		
H1699 UNC NONAPPROPRIATED CAPITAL PROJECTS.	S	PASSED 2ND READING
H1723 CHARTER SCHOOL RETIREMENT ELECTION.	S	WITHDRAWN FROM COMM
	S	PLACED ON CAL FOR 7/14/2004
	S	PASSED 2ND & 3RD READING
06-23-04, 07-07-04		
S0006 STRENGTHEN LAW ENFORCEMENT VS. VIDEO POKER	H	AMEND FAILED #1
	H	PASSED 3RD READING
04-17-03, 06-30-04, 07-08-04, 07-12-04		
S0020 REGULATE PROFESSIONAL EMPLOYER ORGANIZATION.	S	REC TO CONCUR H COM SUB
	S	PLACED ON CAL FOR 7/15/2004
07-10-03, 06-28-04, 07-07-04, 07-12-04, 07-13-04		
S0074 NC VINEYARD AMENDMENTS	H	PASSED 2ND READING
04-29-03, 07-09-04		
S0464 NRA SPECIAL PLATE.	S	CONCURRED IN H/COM SUB
07-15-03, 07-16-03, 06-16-04, 07-08-04		
S0470 COMPENSATION OF TRUSTEES/OTHER FIDUCIARIES.	S	RATIFIED
04-14-03, 06-30-04		

S0657 TANNING SALONS/RESTRICTIONS ON USE.	H	WITHDRAWN FROM COMM
	H	RE-REF COM ON HEALTH
04-10-03		
S0676 REVISE THE BANKING LAWS OF NORTH CAROLINA.	S	RATIFIED
05-13-03, 07-10-03, 07-19-03, 07-09-04, 07-12-04		
S0848 ADVANCED VEHICLE RESEARCH CENTER INCENTIVE.	S	REC TO CONCUR H COM SUB
	S	REF TO COM ON FINANCE
04-22-03, 07-07-04, 07-13-04		
S0852 ORGAN DONOR ORG'S./ACCESS TO DMV RECORDS.	S	PRES. TO GOV. 7/13/2004
06-05-03, 07-15-03, 07-17-03, 07-01-04		
S0916 PREVENT WORKPLACE VIOLENCE.	HA	AMEND ADOPTED #1
	H	PASSED 2ND & 3RD READING
04-29-03, 04-30-03, 07-08-04, 07-14-04		
S1043 AGGREGATE TRUCK WEIGHT LIMITS.	S	PRES. TO GOV. 7/13/2004
06-24-04, 06-30-04		
S1054 INCREASE METHAMPHETAMINE PENALTIES.	H	PASSED 2ND & 3RD READING
05-27-04, 07-06-04, 07-09-04		
S1083 STAGGERED PLATES/SAFETY INSPECTION CHANGE.	H	PASSED 2ND & 3RD READING
06-30-04		
S1145 REVENUE LAWS TECHNICAL CHANGES.	S	CONCURRED ON 3RD READING
06-07-04, 06-28-04, 07-07-04		
S1148 CARE FOR THE MENTALLY ILL IN LTC FACILITIES.	S	CONCURRED IN H/COM SUB
06-02-04, 07-01-04		
S1218 CHILD RESTRAINT SYSTEMS MODIFIED.	S	CONCURRED IN H/COM SUB
06-23-04, 06-30-04		
S1225 2004 TECHNICAL CORRECTIONS ACT.	SA	AMEND ADOPTED # 2
	SA	AMEND ADOPTED # 3
	S	PASSED 3RD READING
	S	ENGROSSED
07-12-04, 07-14-04		
S1244 NC CEMETERY ACT/FEES/BILL LEE TIERS.	S	RATIFIED
06-17-04, 07-07-04		
#S1254 RESPIRATORY CARE BD/BACKGROUND CHECKS/ FEES.	S	SIGNED BY GOV. 7/13/2004
	SR	CH. SL 2004-89
06-03-04, 07-09-04		
S1384 AMEND BARBERING LAWS.	S	CONF COM REPORTED
	H	CONF COM REPORTED
	H	COM SUB RULED MATERIAL
	H	PLACED ON CAL FOR 7/15/2004
06-17-04, 07-01-04, 07-14-04		

LOCAL BILLS

H0737 DURHAM SCHOOL RECALL ELECTION.	S	REPTD FAV COM SUBSTITUTE
	SA	COM SUBSTITUTE ADOPTED
06-11-03, 07-14-04		
H1348 CAMDEN OCCUPANCY/HYDE MEALS TAXES.	S	PASSED 3RD READING
07-12-04		
H1401 WILKES VISITOR CENTER.	S	REPTD FAV
	S	PLACED ON CAL FOR 7/14/2004
	S	PASSED 2ND & 3RD READING

H1422	MINT HILL/KINGS MOUNTAIN/ALL-TERRAIN VEHICLES.	S REPTD FAV COM SUBSTITUTE SA COM SUBSTITUTE ADOPTED S PLACED ON CAL FOR 7/14/2004 S PASSED 2ND & 3RD READING
	06-30-04, 07-07-04, 07-14-04	
H1547	CHAPEL HILL OPEN SPACE.	SA AMEND ADOPTED # 1 SA AMEND ADOPTED # 2 S PASSED 3RD READING S ENGROSSED
	06-02-04, 07-09-04, 07-14-04	
H1688	CONCORD ANNEXATION EFFECTIVE DATE.	S PASSED 3RD READING
H1700	DURHAM VEHICLE TAX SUNSET EXTENDED/USES.	S PASSED 3RD READING
	07-07-04	
#H1721	CURRITUCK OCCUPANCY TAX CHANGES.	HR CH. SL 2004-95
	06-10-04, 06-30-04	
#H1730	HOLDEN BEACH SEWER TREATMENT FEE.	HR CH. SL 2004-96
#H1733	SOUTHPORT UTILITY UNDERGROUNDING.	HR CH. SL 2004-97
	06-23-04	
H1734	OCEAN ISLE CANAL DREDGING	H CONCURRED IN SENATE AMEND
#H1737	WINSTON-SALEM/REIDSVILLE STRUCTURES.	HR CH. SL 2004-98
	06-24-04, 07-07-04	
S1060	TOWN OF FRANKLIN OCCUPANCY TAX.	H PASSED 2ND READING
S1181	MODIFY ALLEGHANY OCCUPANCY TAX .	H PASSED 2ND READING
	06-02-04	
#S1205	RUTHERFORDTON ABC DISTRIBUTIONS.	SR CH. SL 2004-90
	06-28-04	
#S1209	DURHAM HOUSING APPEALS BOARD.	SR CH. SL 2004-91
S1305	ANGIER SATELLITE ANNEXATION.	S CONCURRED ON 3RD READING
	06-07-04, 07-01-04	
S1315	CABARRUS BOARD OF EQUALIZATION AND REVIEW.	S CONCURRED IN H/COM SUB
	07-07-04	
S1343	WHITEVILLE ANNEXATION.	H PASSED 2ND READING
#S1347	KANNAPOLIS ABC STORE ELECTION.	SR CH. SL 2004-92
#S1355	GOLDSBORO NOTICE/ORDINANCE VIOLATION.	SR CH. SL 2004-93
#S1370	GOLDSBORO/WAYNE CO. SURPLUS LOT DISPOSITION.	SR CH. SL 2004-94
	06-16-04	

SUMMARIES OF AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

S 823. AMEND ENVIRONMENTAL LAWS-3. Intro. 04/03/03. House committee substitute adopted 7/13/04 makes the following changes to 1st edition. (1) Changes title to *AN ACT TO AMEND VARIOUS LAWS RELATED TO THE ENVIRONMENT, ENVIRONMENTAL HEALTH, AND NATURAL RESOURCES TO: (1) MAKE CLARIFYING, CONFORMING AND TECHNICAL AMENDMENTS; (2) MODIFY ENVIRONMENTAL REPORTING REQUIREMENTS; (3) ABOLISH OBSOLETE AND INACTIVE COUNCILS; (4) EXTEND BY ONE YEAR THE TIME FOR THE DEVELOPMENT OF PERMANENT RULES RELATED TO WATER CONSERVATION PURSUANT TO SECTION 3 OF S.L. 2002-167; (5) PROVIDE FOR STAGGERED TERMS OF THE MEMBERS OF THE AGRICULTURAL FINANCE AUTHORITY AND SPECIFY THE MAXIMUM NUMBER OF SUCCESSIVE TERMS THAT MEMBERS OF THE AUTHORITY MAY SERVE; AND (6) PROHIBIT THE SALE OR DISPENSING OF RAW MILK.* (2) Deletes substantive provisions of the 1st edition in their entirety. (3) Makes technical corrections to GS 113-301.1, GS 113A-115.1(b); GS 121-34; GS 121-42; GS 143-215.1; GS 143-215.1B; GS 159G-3(18); GS 159G-10(b)(5). (4) Adds new GS 113A-67 requiring the Dep't of Environment and Natural Resources to report to the Environmental Review Commission on the implementation of Art. 4, Ch. 113A of the

General Statutes and on the implementation of the Sedimentation Pollution Control Act of 1973 on Oct. 1 of each year, beginning Oct. 1, 2005. (5) Changes the reporting dates of GS 113A-235(c) and GS 113A-241(c) to October 1 of each year. (6) Amends GS 143-215.107C(b) by deleting the requirement that the Dep't of Administration report to the Environmental Review Commission on progress in purchasing alternative-fueled or low emission vehicles. (7) Amends GS 143-355.1 by adding new subsection (g) requiring the Drought Management Advisory Council to report to the Sec'y of Environment and Natural Resources, the Governor and the Environmental Review Commission on its work by Oct. 1 of each year, beginning Oct. 1, 2005. (8) Abolishes the Watershed Protection Advisory Council and the Scientific Advisory Council on Water Resources and Coastal Fisheries Management, and deletes reference to the latter in GS 143-215.8C, GS 143-215.8D(a) and GS 143-215.8D(e). (9) Amends sec. 3(c) of SL 2002-167 by changing the date by which rules related to water conservation pursuant to SL 2002-167 must be adopted to the 2006 Regular Session of the 2005 General Assembly. (10) Amends GS 122D-4 to provide for staggered terms for the members of the Agricultural Finance Authority, and provides that with the exception of the Commissioner of Agriculture or the Commissioner's designee, no member of the Authority shall serve more than two successive three-year terms. (11) Amends the definition of "milk" in GS 130A-274(2) to include the lacteal secretion of any lactating animal. (12) Amends GS 130A-279 by prohibiting not only the sale, but the dispensing of anything other than Grade A pasteurized milk to consumers, and by adding a provision providing that raw milk and raw milk products may be sold or dispensed only to a permitted milk hauler or permitted milk-processing facility.

S 1225. 2004 TECHNICAL CORRECTIONS ACT. Intro. 5/20/04. Senate amendments make the following changes to 2nd edition. Amend Ch. 196, Sec. 1, of the 1995 SL to provide that GS Ch. 20 (operation of motor vehicles) is applicable to properties owned by the Martin's Point Homeowners Ass'n. Enact new GS 122C-22(a)(11) to exclude certain charitable, non-profit, faith-based, adult residential treatment facilities from mental health facility licensure requirements. Make technical changes.

S 1384. AMEND BARBERING LAWS. Intro. 5/27/04. Conference report recommends the following changes to 3rd edition to reconcile matters in controversy. Amends GS 86A-25 by increasing various fees charged by the State Board of Barber Examiners and authorizes Board to charge for certified copies of documents and duplication services.

HOUSE BILLS

H 173. COSMETIC ART/CONTINUING ED/PENALTY CHANGE. Intro. 3/3/03. Senate amendment adopted 7/13/04 makes the following changes to 5th edition. Amends GS 88B-21(e) to exempt cosmetologists, estheticians, and manicurists who have practiced for a least 10 consecutive years and who are at least 60 years old from the continuing education requirements of the subsection.

H 669. HOSPITALS/LTC QUALITY ASSURANCE (NEW). Intro. 3/26/03. Senate committee substitute makes the following changes to 2nd edition. Amends GS 131E-76(6) by deleting provision that hospital designated as a critical access hospital shall offer primary outpatient services, ensure the availability of 24-hour emergency services, and be part of a rural hospital network. Enacts new GS 131E-101(8) defining "quality assurance committee." Enacts new GS 131E-107(b) and 131D-21.2(b) providing that records of proceedings of a quality assurance, medical, or peer review comm. are confidential and are not public records under GS 132-1 and are not subject to discovery or introduction into evidence in any civil action against a nursing home or a professional health services provider. Further provides that persons shall not be required to testify concerning those proceedings in any civil action. Enacts new GS 131D-21.2, which makes comm. member immune from liability for civil damages if member acts without malice or fraud. Amends GS 131E-76(5) to list types of committees that are considered to be a "medical review committee" and GS 90-21.22A(a)(2) to define "quality assurance committee." Amends GS 122C-30 to add "quality assurance committee" to type of committee that is immune from liability under sec. Amends GS 90-21.22A(c) and 122C-30(2) to clarify that documents otherwise available as public records do not lose that status because they were presented during comm. proceedings. Enacts new GS 90-21.18A providing that nursing home medical directors shall not be named a defendant in a medical malpractice action unless action concerns a patient under the direct care of the medical director, or alleges willful or intentional misconduct, recklessness, or gross negligence by the medical director in a supervisory or consulting role. Enacts new GS Ch. 8C, Art. 4, Rule 413, making statements made by a health care provider apologizing for an adverse outcome, offering to take corrective measures, or otherwise offering assistance inadmissible in malpractice action. Makes technical changes.

H 737. CHAPEL HILL CAMPAIGN FINANCE OPTIONS (NEW). Intro. 3/27/03. Senate committee substitute makes the following changes to 2nd edition. Replaces existing bill with completely new bill applicable to Chapel Hill only. Enacts new GS 160A-499 authorizing cities with more than 40,000 residents to appropriate funds for a public campaign financing program for city office and requires that the governing body appropriating such funds prepare a report to the General Assembly on the implementation of the program. Enacts new GS 163-278.6(17a), which defines "public campaign financing program." Act expires July 1, 2008.

H 1422. MINT HILL/KINGS MOUNTAIN - POLICE ALL-TERRAIN VEHICLES. Intro. 05/13/04. Senate committee substitute makes the following changes to 3rd edition. Makes technical changes only.

H 1429. AMEND FISHERY MANAGEMENT PLAN REQUIREMENTS. Intro. 5/13/04. House committee substitute adopted 7/13/04 makes the following changes to 1st edition. Amends GS 113-129 to define "overfished" as the condition of a fishery that occurs when the spawning stock biomass of the fishery is below the level that is adequate for the recruitment class of a fishery to replace the spawning class of the fishery; "overfishing" as fishing that causes a level of mortality that prevents a fishery from producing a sustainable harvest; and "sustainable harvest" as the amount of fish that can be taken from a fishery on a continuing basis without reducing the stock biomass of the fishery or causing the fishery to become overfished. Makes technical changes.

H 1547. CHAPEL HILL OPEN SPACE/DEVELOPMENT RIGHTS. Intro. 5/20/04. Senate amendment makes the following changes to 3rd edition. (1) Changes title to *AN ACT TO ALLOW THE TOWN OF CHAPEL HILL TO PURCHASE ADDITIONAL LAND FOR OPEN SPACE OUTSIDE ITS JURISDICTION.* (2) Deletes in its entirety proposed new subsection (a1) to GS 160A-381, which would have allowed a city to grant severable development rights to be used within the city's jurisdiction in exchange for the acquisition or preservation of undeveloped real property in the nearby rural areas of the county in which the city is located. (3) Amends proposed new GS 160A-403(b) by excluding eminent domain as a means by which a city may acquire undeveloped real property outside the city's jurisdiction but within the county where it is located.

H 1594. ALARM SYSTEMS LIC. FEES (NEW). Intro. 05/20/04. Conference report recommends the following changes to 3rd edition to reconcile matters in controversy. (1) Changes title to *AN ACT AUTHORIZING THE ALARM SYSTEMS LICENSING BOARD TO INCREASE CERTAIN FEES AND ESTABLISH A NEW FEE UNDER THE ALARM SYSTEMS LICENSING ACT.* (2) Deletes in its entirety the proposed amendment of GS 105A-2, which would have extended to local governments acting jointly the same setoff debt collection procedures currently allowed to local governments acting alone.

LEGISLATION ENACTED

SL 2004-89 (S 1254). RESPIRATORY CARE BOARD/BACKGROUND CHECKS/FEES. *AN ACT TO AUTHORIZE THE DEPARTMENT OF JUSTICE TO PROVIDE CRIMINAL RECORD CHECKS TO THE RESPIRATORY CARE BOARD FOR APPLICANTS FOR LICENSURE AND TO CHARGE A FEE FOR CONDUCTING THE CHECKS.* Summarized in *Daily Bulletin* 5/24/04, 6/3/04, and 7/9/04. Enacted July 13, 2004. Effective July 13, 2004.

SL 2004-90 (S 1205). RUTHERFORDTON ABC DISTRIBUTIONS. *AN ACT TO MODIFY THE DISTRIBUTIONS FROM THE TOWN OF RUTHERFORDTON BOARD OF ALCOHOLIC BEVERAGE CONTROL.* Summarized in *Daily Bulletin* 6/28/04. Enacted July 13, 2004. Effective July 13, 2004.

SL 2004-91 (S 1209). DURHAM HOUSING APPEALS BOARD. *AN ACT MAKING A TECHNICAL CORRECTION TO THE AUTHORITY OF THE DURHAM CITY HOUSING APPEALS BOARD TO HEAR APPEALS.* Summarized in *Daily Bulletin* 5/20/04. Enacted July 13, 2004. Effective July 13, 2004.

SL 2004-92 (S 1347). KANNAPOLIS ABC STORE ELECTION. *AN ACT AUTHORIZING THE CITY OF KANNAPOLIS TO HOLD A REFERENDUM ON THE OPERATION OF ABC STORES AS PART OF THE ROWAN COUNTY ABC SYSTEM, AND TO SPECIFY HOW PROFITS FROM THOSE STORES SHALL BE DISTRIBUTED.* Summarized in *Daily Bulletin* 5/27/04. Enacted July 13, 2004. Effective July 13, 2004.

SL 2004-93 (S 1355). GOLDSBORO NOTICE/ORDINANCE VIOLATION. *AN ACT AUTHORIZING THE CITY OF GOLDSBORO TO GIVE ANNUAL NOTICE TO CHRONIC VIOLATORS OF THE CITY'S REFUSE AND*

DEBRIS ORDINANCE WITHOUT FURTHER NOTICE THAT CALENDAR YEAR. Summarized in *Daily Bulletin* 5/27/04. Enacted July 13, 2004. Effective July 13, 2004.

SL 2004-94 (S 1370). GOLDSBORO/WAYNE COUNTY SURPLUS LOT DISPOSITION. *AN ACT TO CHANGE THE PROCEDURE FOR DISPOSAL OF SURPLUS STANDARD AND SUBSTANDARD LOTS BY THE CITY OF GOLDSBORO AND WAYNE COUNTY.* Summarized in *Daily Bulletin* 5/27/04 and 6/16/04. Enacted July 13, 2004. Effective July 1, 2004.

SL 2004-95 (H 1721). CURRITUCK OCCUPANCY TAX CHANGES. *AN ACT TO ALLOW AN INCREASE IN THE CURRITUCK COUNTY OCCUPANCY TAX AND TO CHANGE THE PURPOSES FOR WHICH THE TAX MAY BE USED.* Summarized in *Daily Bulletin* 5/27/04, 6/10/04, and 6/30/04. Enacted July 13, 2004. Effective July 13, 2004.

SL 2004-96 (H 1730). HOLDEN BEACH SEWER TREATMENT FEE. *AN ACT TO ALLOW THE TOWN OF HOLDEN BEACH TO IMPOSE A SEWER TREATMENT FEE.* Summarized in *Daily Bulletin* 5/27/04. Enacted July 13, 2004. Effective July 13, 2004.

SL 2004-97 (H 1733). SOUTHPORT UTILITY UNDERGROUNDING. *AN ACT TO ALLOW THE CITY OF SOUTHPORT TO ASSESS BENEFITED PROPERTY FOR UNDERGROUNDING UTILITIES.* Summarized in *Daily Bulletin* 5/27/04 and 6/23/04. Enacted July 13, 2004. Effective July 13, 2004.

SL 2004-98 (H 1737). WINSTON-SALEM/REIDSVILLE STRUCTURES. *AN ACT AUTHORIZING THE CITIES OF WINSTON-SALEM AND REIDSVILLE TO ORDER DWELLINGS DETERMINED UNFIT FOR HUMAN HABITATION REPAIRED OR DEMOLISHED AFTER A PERIOD OF SIX MONTHS.* Summarized in *Daily Bulletin* 5/27/04, 6/24/04, and 7/7/04. Enacted July 13, 2004. Effective July 13, 2004.

NEXT SESSIONS

July 15, 2004

HOUSE convenes at 2:00 p.m.

SENATE convenes at 11:00 a.m.

GH
2.:2004/39

Daily Bulletin

ACTIONS BY THE NORTH CAROLINA GENERAL ASSEMBLY

Institute *of* Government—School of Government
The University of North Carolina at Chapel Hill
Legislative Reporting Service, Box 7294 State Legislative Building, Raleigh, NC 27601
Phone 919.733.2484 Fax 919.715.3464

House Legislative Day 144 Vol. 2004, No. 39 Senate Legislative Day 146

Thursday, July 15, 2004

N.C. DOCUMENTS CLEARINGHOUSE

JUL 2 7 2004

STATE LIBRARY OF NORTH CAROLINA RALEIGH

BILLS INTRODUCED TODAY

NONE

CALENDAR ACTION
July 15, 2004

NOTES
1. Amendments and committee substitutes adopted today are summarized in the following section of today's Daily Bulletin.
2. The dates on which previous amendments or committee substitutes were adopted are listed below bill numbers.
3. The action "Cal Pursuant Rule 36b" indicates that the bill has been reported by committee and is awaiting calendaring by the Rules Committee.
4. Enacted bills are indicated by #, failed bills by *.

PUBLIC BILLS

H0173 COSMETIC ART/CONTINUING ED/PENALTY CHANGE.	H	REC TO CONCUR S COM SUB
	H	CAL PURSUANT RULE 36(B)
	H	PLACED ON CAL FOR 7/15/2004
	H	CONCURRED IN S/COM SUB
07-08-03, 07-09-03, 07-01-04, 07-07-04, 07-13-04		
H0356 FEES.	H	CONCURRED ON 3RD READING
07-01-04		
H0669 HOSPITALS/LTC QUALITY ASSURANCE.	H	REC TO CONCUR S COM SUB
	H	CAL PURSUANT RULE 36(B)
	H	PLACED ON CAL FOR 7/15/2004
	H	CONCURRED IN S/COM SUB
04-09-03, 07-14-04		
H0817 GUN SALE LEGAL W/CONCEALED HANDGUN PERMIT.	H	RATIFIED
06-15-04, 07-13-04		
H0831 SALTWATER FISHING FUND/HOLDOVER APPOINTMENTS.	H	POSTPONED TO 7/16/2004
05-20-03, 07-09-03, 07-17-03, 07-18-03, 07-19-03, 07-06-04		

This publication is printed on permanent, acid-free paper in compliance with the North Carolina General Statutes.
Institute of Government—School of Government
The University of North Carolina at Chapel Hill
© 2004

H0859 BOARD OF FUNERAL SERVICE.	S	PASSED 3RD READING
	H	REC TO CONCUR S COM SUB
	H	CAL PURSUANT RULE 36(B)
	H	PLACED ON CAL FOR 7/15/2004
	H	FAILED CONCUR IN COM SUB
	H	LAST ACTION RECONSIDERED
	H	CONCURRED IN S/COM SUB
04-23-03, 04-29-03, 04-30-03, 07-13-04		
H0951 CREATE CIVIL NO-CONTACT PROTECTIVE ORDERS.	H	PRES. TO GOV. 7/14/2004
04-30-03, 07-06-04		
H0965 INCREASE PENALTIES FOR FAILURE TO YIELD.	H	PRES. TO GOV. 7/14/2004
04-29-03, 04-30-03, 06-30-04		
H1046 AGGRESSIVE DRIVING.	H	PLACED ON CAL FOR 7/15/2004
	H	CONCURRED IN S/COM SUB
04-23-03, 04-29-03, 07-12-04		
H1107 FORTIFY AGAINST UNAUTHORIZED INSURANCE.	H	PLACED ON CAL FOR 7/15/2004
	H	CONCURRED IN S/COM SUB
05-01-03, 07-01-04		
H1112 PHOSPHORUS NUTRIENT MGT./ANIMAL FEEDLOTS.	H	PRES. TO GOV. 7/14/2004
06-18-03, 06-19-03, 07-08-04, 07-09-04		
H1119 ELECTION LAW CHANGES - 1.	H	CONCURRED IN S/COM SUB
04-22-03, 04-29-03, 07-09-04, 07-12-04		
H1139 RAPIST PARENTAL RIGHTS/OPEN CRIM. DISCOVERY.	H	WITHDRAWN FROM CAL
	H	RE-REF COM ON RULES, CALENDAR, AND OPERATIONS OF THE HOUSE
04-30-03, 07-01-04, 07-06-04		
H1152 CLARIFY DISCLOSURE MV TOTAL LOSS CLAIM.	H	WITHDRAWN FROM COMM
	H	CAL PURSUANT RULE 36(B)
	H	WITHDRAWN FROM CAL
	H	RE-REF COM ON RULES, CALENDAR, AND OPERATIONS OF THE HOUSE
05-01-03, 06-23-04, 07-07-04		
H1276 HIGHER OPTION/LOCAL GOV'TAL RETIREMENT LRC.	HA	REPTD FAV COM SUBSTITUTE
	H	RE-REF COM ON RULES, CALENDAR, AND OPERATIONS OF THE HOUSE
07-15-04		
H1345 SPECIAL OFFICERS AUTHORITY/DOT TECH. CORR.	S	CONF COM APPOINTED
07-09-04		
H1354 STRENGTHEN DOMESTIC VIOLENCE LAWS.	H	RATIFIED
06-16-04, 06-17-04, 06-21-04, 07-08-04, 07-09-04, 07-12-04		
H1359 DOT MINORITY/WOMEN BUSINESSES PROGRAM.	HA	REPTD FAV COM SUBSTITUTE
	H	CAL PURSUANT RULE 36(B)
	H	PLACED ON CAL FOR 7/15/2004
	H	PASSED 2ND & 3RD READING
06-30-04, 07-15-04		
H1420 REGIONAL AGENCY DEBT SETOFF.	H	PRES. TO GOV. 7/14/2004
07-06-04		
H1453 DISCHARGING FIREARM ON SCHOOL PROPERTY.	H	RATIFIED
06-29-04, 07-07-04, 07-09-04		
H1464 SCHOOL CALENDAR CHANGES.	S	REPTD FAV COM SUBSTITUTE
	SA	COM SUBSTITUTE ADOPTED
07-01-04, 07-15-04		

H1519 CRIME VICTIM FINANCIAL RECOVERY ASSIST. ACT.	H	CONCURRED IN S/COM SUB
06-02-04, 07-09-04		
H1594 ALARM SYSTEMS LICENSE FEES.	SA	CONF REPORT ADOPTED
	HA	CONF REPORT ADOPTED
06-24-04, 07-08-04, 07-14-04		
H1636 RENEWABLE FUEL TAX CREDITS.	S	REPTD FAV COM SUBSTITUTE
	SA	COM SUBSTITUTE ADOPTED
06-29-04, 07-15-04		
H1665 VENUE FOR JUVENILE HEARINGS.	S	REPTD FAV
06-29-04		
H1699 UNC NONAPPROPRIATED CAPITAL PROJECTS.	S	PASSED 3RD READING
H1723 CHARTER SCHOOL RETIREMENT ELECTION.	H	PLACED ON CAL FOR 7/15/2004
	H	CONCURRED IN S/COM SUB
06-23-04, 07-07-04		
S0020 REGULATE PROFESSIONAL EMPLOYER ORGANIZATION.	S	CONCURRED IN H/COM SUB
07-10-03, 06-28-04, 07-07-04, 07-12-04, 07-13-04		
S0052 CLARIFICATIONS REGARDING MEDIATION	H	PASSED 2ND & 3RD READING
	S	REC TO CONCUR H COM SUB
	S	PLACED ON CAL FOR 7/16/2004
04-29-03, 04-30-03, 07-13-04		
S0074 NC VINEYARD AMENDMENTS	H	PASSED 3RD READING
	S	REC TO CONCUR H COM SUB
	S	PLACED ON CAL FOR 7/16/2004
04-29-03, 07-09-04		
S0464 NRA SPECIAL PLATE.	S	RATIFIED
07-15-03, 07-16-03, 06-16-04, 07-08-04		
S0470 COMPENSATION OF TRUSTEES/OTHER FIDUCIARIES.	S	PRES. TO GOV. 7/14/2004
04-14-03, 06-30-04		
S0657 TANNING SALONS/RESTRICTIONS ON USE.	HA	REPTD FAV COM SUBSTITUTE
	H	RE-REF COM ON RULES, CALENDAR, AND OPERATIONS OF THE HOUSE
04-10-03, 07-15-04		
S0676 REVISE THE BANKING LAWS OF NORTH CAROLINA.	S	PRES. TO GOV. 7/14/2004
05-13-03, 07-10-03, 07-19-03, 07-09-04, 07-12-04		
S0823 ENVIRONMENTAL TECHNICAL CORRECTIONS.	H	WITHDRAWN FROM CAL
	H	RE-REF COM ON RULES, CALENDAR, AND OPERATIONS OF THE HOUSE
07-13-04		
S0916 PREVENT WORKPLACE VIOLENCE.	S	REC TO CONCUR H COM SUB
	S	PLACED ON CAL FOR 7/16/2004
04-29-03, 04-30-03, 07-08-04, 07-14-04		
S1054 INCREASE METHAMPHETAMINE PENALTIES.	S	CONCURRED IN H/COM SUB
05-27-04, 07-06-04, 07-09-04		
S1063 ELIMINATE IRB WAGE STANDARD.	S	RATIFIED
06-09-04, 06-21-04, 07-12-04		
S1083 STAGGERED PLATES/SAFETY INSPECTION CHANGE.	S	CONCURRED IN H/COM SUB
06-30-04		
S1089 DOT AUTHORITY TO RECEIVE FUNDS FROM LOCAL GOV.	H	PLACED ON CAL FOR 7/15/2004
	H	PASSED 2ND & 3RD READING

S1118 SPECIAL LICENSE PLATES.	H	CONF COM APPOINTED
	S	CONF COM REPORTED
	S	PLACED ON CAL FOR 7/16/2004
	H	CONF COM REPORTED
	H	CONF HELD AS MATERIAL
	H	PLACED ON CAL FOR 7/16/2004
06-03-04, 06-28-04, 07-15-04		
S1145 REVENUE LAWS TECHNICAL CHANGES.	S	RATIFIED
06-07-04, 06-28-04, 07-07-04		
S1148 CARE FOR THE MENTALLY ILL IN LTC FACILITIES.	S	RATIFIED
06-02-04, 07-01-04		
S1218 CHILD RESTRAINT SYSTEMS MODIFIED.	S	RATIFIED
06-23-04, 06-30-04		
S1225 2004 TECHNICAL CORRECTIONS ACT.	H	REC FROM SENATE
	H	REF TO COM ON RULES, CALENDAR, AND OPERATIONS OF THE HOUSE
07-12-04, 07-14-04		
S1244 NC CEMETERY ACT/FEES/BILL LEE TIERS.	S	PRES. TO GOV. 7/14/2004
06-17-04, 07-07-04		
S1384 AMEND BARBERING LAWS.	S	WITHDRAWN FROM CAL
	S	PLACED ON CAL FOR 7/16/2004
	S	WITHDRAWN FROM CAL
	S	PLACED ON CAL FOR 7/15/2004
	SA	CONF REPORT ADOPTED
	H	CONF REPORT ADOPTED 2ND
06-17-04, 07-01-04, 07-14-04		

LOCAL BILLS

H0142 DARE LOCAL OPTION TAX MENU.	H	WITHDRAWN FROM COMM
	H	CAL PURSUANT RULE 36(B)
	H	PLACED ON CAL FOR 7/15/2004
	H	FAILED CONCUR IN COM SUB
07-07-04, 07-09-04		
H0737 CHAPEL HILL CAMPAIGN FINANCE OPTIONS.	S	WITHDRAWN FROM CAL
	S	RE-REF COM ON RULES AND OPERATIONS OF THE SENATE
06-11-03, 07-14-04		
H1348 CAMDEN OCCUPANCY/HYDE MEALS TAXES.	H	PLACED ON CAL FOR 7/15/2004
	H	FAILED CONCUR IN COM SUB
07-12-04		
H1401 WILKES VISITOR CENTER.	H	RATIFIED
H1422 MINT HILL/KINGS MOUNTAIN/ALL-TERRAIN VEHICLES.	H	REC TO CONCUR S COM SUB
	H	CAL PURSUANT RULE 36(B)
	H	PLACED ON CAL FOR 7/15/2004
	H	CONCURRED IN S/COM SUB
06-30-04, 07-07-04, 07-14-04		
H1520 GASTON TEMPORARY SALES TAX REFERENDUM.	H	WITHDRAWN FROM COMM
	H	CAL PURSUANT RULE 36(B)
	H	PLACED ON CAL FOR 7/15/2004
	H	PASSED 2ND READING
H1547 CHAPEL HILL OPEN SPACE.	H	REC TO CONCUR S COM SUB
	H	CAL PURSUANT RULE 36(B)
	H	PLACED ON CAL FOR 7/15/2004
06-02-04, 07-09-04, 07-14-04		
H1688 CONCORD ANNEXATION EFFECTIVE DATE.	H	RATIFIED

H1700 DURHAM VEHICLE TAX SUNSET EXTENDED/USES. 07-07-04	H	RATIFIED
H1734 OCEAN ISLE CANAL DREDGING. 06-23-04, 07-12-04	H	RATIFIED
S1060 TOWN OF FRANKLIN OCCUPANCY TAX.	H	PASSED 3RD READING
S1181 MODIFY ALLEGHANY OCCUPANCY TAX . 06-02-04	H	PASSED 3RD READING
S1305 ANGIER SATELLITE ANNEXATION. 06-07-04, 07-01-04	S	RATIFIED
S1315 CABARRUS BOARD OF EQUALIZATION AND REVIEW. 07-07-04	S	RATIFIED
S1343 WHITEVILLE ANNEXATION.	H	PASSED 3RD READING

SUMMARIES OF AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

S 916. PREVENT WORKPLACE VIOLENCE. Intro. 4/3/03. House amendment adopted 7/14/04 makes the following changes to 4th edition. Amends GS 95-270(a) to require that employee follow employer's usual time-off policy and to authorize employer to request documentation of any emergency that prevented employee from providing advance notice of absence only if such advance notice was required by employer's policy (was, required that employee request time off in writing and provide documentation of the reason for absence, regardless of employer's general absence policy). Makes technical changes.

HOUSE BILLS

H 1276. HIGHER OPTION/LOCAL GOV'TAL RETIREMENT LRC (NEW). Intro. 5/14/03. House committee substitute makes the following changes to 1st edition. Deletes new GS 128-27(b21), which established an optional graduated 25-year retirement plan for local governments, and replaces it with provision authorizing the Legis. Study Comm'n to study the need for such a plan and report findings to 2005 General Assembly. Makes technical changes.

H 1359. DOT MINORITY/WOMEN BUSINESSES PROGRAM. Intro. 5/11/04. House committee substitute makes the following changes to 2nd edition. Clarifies that the amendments to GS 136-28.4 apply only to businesses that are owned by women and qualified disadvantaged minorities. Defines qualified "minorities" as those racial or ethnicity classifications, identified through a disparity study, which (1) have been subjected to discrimination in the relevant marketplace, and (2) have been adversely affected in their ability to obtain contracts with the Dep't of Transportation. Expands the types of contracts covered to include planning and preconstruction activities in state projects. Requires the Dep't to implement a comprehensive antidiscrimination enforcement policy based on the findings of its Second Generation Disparity Study completed in 2004. Also requires the Dep't to establish: "aspirational," but not mandatory, goals consistent with the availability of disadvantaged minority-owned and women-owned businesses in each category in which the Study reflects significant underutilization. Requires the Dep't to report semiannually (prior version required annual reporting) to the Joint Legislative Transportation Oversight Committee. Makes other technical amendments.

NEXT SESSIONS

July 16, 2004

HOUSE convenes at 12:00 p.m.

SENATE convenes at 11:00 a.m.

G41
.5:2004/40

Daily Bulletin

ACTIONS BY THE NORTH CAROLINA GENERAL ASSEMBLY

Institute *of* Government—School of Government
The University of North Carolina at Chapel Hill
Legislative Reporting Service, Box 7294 State Legislative Building, Raleigh, NC 27601
Phone 919.733.2484 Fax 919.715.3464

House Legislative Day 145-147 Vol. 2004, No. 40 Senate Legislative Day 147-149

Friday, Saturday and Sunday, July 16, 17 and 18, 2004

BILLS INTRODUCED July 17, 2004

BILL #	SHORT TITLE	IDEN	COMMITTEE	GS INDEX
S 1445	ADJOURNMENT OF GENERAL ASSEMBLY		RULES	JOINT RES

SUMMARIES OF BILLS INTRODUCED July 17, 2004

SENATE BILLS

S 1445. ADJOURNMENT OF GENERAL ASSEMBLY. *A JOINT RESOLUTION PROVIDING FOR ADJOURNMENT SINE DIE OF THE REGULAR SESSION OF THE GENERAL ASSEMBLY.* As title indicates, establishing adjournment date of July 17, 2004.
Intro. by Rand.
Ref. to Rules JOINT RES

N.C. DOCUMENTS CLEARINGHOUSE
JUL 2 7 2004
STATE LIBRARY OF NORTH CAROLINA RALEIGH

CALENDAR ACTION July 16, 2004

NOTES
1. Amendments and committee substitutes adopted today are summarized in the following section of today's Daily Bulletin.
2. The dates on which previous amendments or committee substitutes were adopted are listed below bill numbers.
3. The action "Cal Pursuant Rule 36b" indicates that the bill has been reported by committee and is awaiting calendaring by the Rules Committee.
4. Enacted bills are indicated by #, failed bills by *.

PUBLIC BILLS

H0173	COSMETIC ART/CONTINUING ED/PENALTY CHANGE.	H	RATIFIED
	07-08-03, 07-09-03, 07-01-04, 07-07-04, 07-13-04		
H0281	TECHNICAL CORRECTIONS ACT.	S	CONF COM REPORTED
		S	PLACED ON CAL FOR 7/17/2004
		H	CONF COM REPORTED
		H	PLACED ON CAL FOR 7/17/2004
	04-23-03, 07-15-03, 07-16-03, 07-17-03, 07-18-03, 07-16-04		

This publication is printed on permanent, acid-free paper in compliance with the North Carolina General Statutes.
Institute of Government—School of Government
The University of North Carolina at Chapel Hill
© 2004

H0356 FEES.	H	RATIFIED
07-01-04		
H0669 HOSPITALS/LTC QUALITY ASSURANCE.	H	RATIFIED
04-09-03, 07-14-04		
H0817 GUN SALE LEGAL W/CONCEALED HANDGUN PERMIT.	H	PRES. TO GOV. 7/15/2004
06-15-04, 07-13-04		
H0859 BOARD OF FUNERAL SERVICE.	H	RATIFIED
04-23-03, 04-29-03, 04-30-03, 07-13-04		
H1046 AGGRESSIVE DRIVING.	H	RATIFIED
04-23-03, 04-29-03, 07-12-04		
H1107 FORTIFY AGAINST UNAUTHORIZED INSURANCE.	H	RATIFIED
05-01-03, 07-01-04		
H1119 ELECTION LAW CHANGES - 1.	H	RATIFIED
04-22-03, 04-29-03, 07-09-04, 07-12-04		
H1213 REGULATE DEFERRED DEPOSIT.	S	REPTD FAV COM SUBSTITUTE
	SA	COM SUBSTITUTE ADOPTED
	S	PLACED ON CAL FOR 7/16/2004
	SA	AMEND ADOPTED # 1
	S	PASSED 2ND & 3RD READING
	S	ENGROSSED
	H	REC TO CONCUR S COM SUB
	H	CAL PURSUANT RULE 36(B)
	H	PLACED ON CAL FOR 7/17/2004
04-29-03, 04-30-03, 06-18-03, 07-16-04		
H1264 FINANCE VITAL PROJECTS/STUDIES.	H	CONF REPORT ADOPTED 2ND
	S	CONF REPORT ADOPTED 2ND
06-10-04, 07-07-04, 07-15-04		
H1345 SPECIAL OFFICERS AUTHORITY/DOT TECH. CORR.	H	PLACED ON CAL FOR 7/16/2004
	H	CONCURRED IN S/COM SUB
	H	RATIFIED
07-09-04		
H1354 STRENGTHEN DOMESTIC VIOLENCE LAWS.	H	PRES. TO GOV. 7/15/2004
06-16-04, 06-17-04, 06-21-04, 07-08-04, 07-09-04, 07-12-04		
H1359 DOT MINORITY/WOMEN BUSINESSES PROGRAM.	S	REC FROM HOUSE
	S	REF TO COM ON JUDICIARY I
06-30-04, 07-15-04		
H1427 AMEND SHELLFISH LAWS.	S	REPTD FAV
	S	RE-REF COM ON FINANCE
	S	REPTD FAV
	S	PLACED ON CAL FOR 7/16/2004
	S	PASSED 2ND & 3RD READING
06-29-04, 07-01-04, 07-07-04, 07-08-04		
H1429 AMEND FISHERY MANAGEMENT PLAN REQUIREMENTS.	S	REPTD FAV
	S	WITHDRAWN FROM CAL
	S	PLACED ON CAL FOR 7/16/2004
	S	PASSED 2ND & 3RD READING
07-13-04		
H1453 DISCHARGING FIREARM ON SCHOOL PROPERTY.	H	PRES. TO GOV. 7/15/2004
06-29-04, 07-07-04, 07-09-04		
H1463 HEALTH INSURANCE INNOVATIONS COMMISSION.	H	CONF COM REPORTED
	H	PLACED ON CAL FOR 7/16/2004
	S	CONF COM REPORTED
	S	PLACED ON CAL FOR 7/16/2004
	SA	CONF REPORT ADOPTED
06-09-04, 06-10-04, 06-23-04, 06-28-04, 07-16-04		
H1464 SCHOOL CALENDAR CHANGES.	S	WITHDRAWN FROM CAL
	S	RE-REF COM ON EDUCATION/ HIGHER EDUCATION

	S	REPTD FAV COM SUBSTITUTE
	SA	COM SUBSTITUTE ADOPTED
	S	PASSED 2ND & 3RD READING
	H	REC TO CONCUR S COM SUB
	H	CAL PURSUANT RULE 36(B)
	H	PLACED ON CAL FOR 7/16/2004
	H	FAILED CONCUR IN COM SUB
	H	CONF COM APPOINTED
	S	CONF COM APPOINTED
07-01-04, 07-15-04, 07-16-04		
H1519 CRIME VICTIM FINANCIAL RECOVERY ASSIST. ACT.	H	RATIFIED
06-02-04, 07-09-04		
H1594 ALARM SYSTEMS LICENSE FEES.	H	RATIFIED
06-24-04, 07-08-04, 07-14-04		
H1636 RENEWABLE FUEL TAX CREDITS.	S	PASSED 2ND & 3RD READING
	H	REC TO CONCUR S COM SUB
	H	CAL PURSUANT RULE 36(B)
	H	PLACED ON CAL FOR 7/17/2004
06-29-04, 07-15-04		
H1665 VENUE FOR JUVENILE HEARINGS.	S	PASSED 2ND & 3RD READING
	H	RATIFIED
06-29-04		
H1699 UNC NONAPPROPRIATED CAPITAL PROJECTS.	H	RATIFIED
H1723 CHARTER SCHOOL RETIREMENT ELECTION.	H	RATIFIED
06-23-04, 07-07-04		
S0006 STRENGTHEN LAW ENFORCEMENT VS. VIDEO POKER	S	REC TO CONCUR H COM SUB
	S	HELD BY SENATE
04-17-03, 06-30-04, 07-08-04, 07-12-04		
S0020 REGULATE PROFESSIONAL EMPLOYER ORGANIZATION.	S	RATIFIED
07-10-03, 06-28-04, 07-07-04, 07-12-04, 07-13-04		
S0052 CLARIFICATIONS REGARDING MEDIATION	S	FAILED CONCUR IN COM SUB
	S	CONF COM APPOINTED
	S	CONF COM WITHDRAWN/DISMI
	S	CONCURRED IN H/COM SUB
	S	RATIFIED
04-29-03, 04-30-03, 07-13-04		
S0074 NC VINEYARD AMENDMENTS	S	CONCURRED ON 2ND READING
04-29-03, 07-09-04		
S0137 SPECIAL OBLIGATION DEBT/PURPOSES.	S	CONF COM REPORTED
	S	PLACED ON CAL FOR 7/17/2004
	H	CONF COM REPORTED
	H	PLACED ON CAL FOR 7/17/2004
06-12-03, 07-19-03, 07-16-04		
S0464 NRA SPECIAL PLATE.	S	PRES. TO GOV. 7/15/2004
07-15-03, 07-16-03, 06-16-04, 07-08-04		
S0577 ADJUST COURT JURISDICTION.	HA	REPTD FAV COM SUBSTITUTE
	H	CAL PURSUANT RULE 36(B)
	H	PLACED ON CAL FOR 7/17/2004
04-28-03, 04-29-03, 07-16-04		
S0823 ENVIRONMENTAL TECHNICAL CORRECTIONS.	HA	REPTD FAV COM SUBSTITUTE
	H	CAL PURSUANT RULE 36(B)
	H	PLACED ON CAL FOR 7/17/2004
07-13-04, 07-16-04		
S0916 PREVENT WORKPLACE VIOLENCE.	S	CONCURRED IN H/COM SUB
04-29-03, 04-30-03, 07-08-04, 07-14-04		
S0991 IMPROVE STATE IT EFFICIENCY & PROJ. MGM'T.	H	CONF COM REPORTED
	H	PLACED ON CAL FOR 7/16/2004

	HA CONF REPORT ADOPTED
	S CONF COM REPORTED
	S PLACED ON CAL FOR 7/16/2004
	SA CONF REPORT ADOPTED
05-01-03, 07-01-04, 07-16-04	
S1054 INCREASE METHAMPHETAMINE PENALTIES.	S RATIFIED
05-27-04, 07-06-04, 07-09-04	
S1063 ELIMINATE IRB WAGE STANDARD.	S PRES. TO GOV. 7/15/2004
06-09-04, 06-21-04, 07-12-04	
S1083 STAGGERED PLATES/SAFETY INSPECTION CHANGE.	S RATIFIED
06-30-04	
S1089 DOT AUTHORITY TO RECEIVE FUNDS FROM LOCAL GOV.	S RATIFIED
S1118 SPECIAL LICENSE PLATES.	H CONF REPORT ADOPTED 2ND
	SA CONF REPORT ADOPTED
06-03-04, 06-28-04, 07-15-04	
S1128 LOCKSMITH CRIMINAL HISTORY RECORD CHECK FEE.	H WITHDRAWN FROM COMM
	H CAL PURSUANT RULE 36(B)
	H PLACED ON CAL FOR 7/17/2004
05-27-04	
S1145 REVENUE LAWS TECHNICAL CHANGES.	S PRES. TO GOV. 7/15/2004
06-07-04, 06-28-04, 07-07-04	
S1148 CARE FOR THE MENTALLY ILL IN LTC FACILITIES.	S PRES. TO GOV. 7/15/2004
06-02-04, 07-01-04	
S1152 LEGISLATIVE STUDY COMM./GUARDIANSHIP.	S REPTD FAV COM SUB AMEND
	SA COM AMEND ADPT & ENGROSS # 1 & # 2
	SA COM SUBSTITUTE ADOPTED
	S PLACED ON CAL FOR 7/16/2004
	SA AMEND ADOPTED # 1
	S PASSED 2ND & 3RD READING
	S ENGROSSED
	H REC FROM SENATE
	H REF TO COM ON RULES, CALENDAR, AND OPERATIONS OF THE HOUSE
07-16-04	
S1218 CHILD RESTRAINT SYSTEMS MODIFIED.	S PRES. TO GOV. 7/15/2004
06-23-04, 06-30-04	
S1384 AMEND BARBERING LAWS.	H CONF REPORT ADOPTED 3RD
	S RATIFIED
06-17-04, 07-01-04, 07-14-04	
S1414 MEDICAL BOARD FEES.	H WITHDRAWN FROM COMM
	H RE-REF COM ON FINANCE
	H REPTD FAV
	H CAL PURSUANT RULE 36(B)
	H PLACED ON CAL FOR 7/17/2004

LOCAL BILLS

H0142 DARE LOCAL OPTION TAX MENU.	S CONF COM REPORTED
	S PLACED ON CAL FOR 7/17/2004
	H CONF COM REPORTED
	H COM SUB RULED MATERIAL
	H PLACED ON CAL FOR 7/17/2004
	S CONF COM APPOINTED

	H	CONF COM APPOINTED
07-07-04, 07-09-04, 07-16-04		
H1348 CAMDEN OCCUPANCY/HYDE MEALS TAXES.	S	CONF COM APPOINTED
	S	CONF COM REPORTED
	S	PLACED ON CAL FOR 7/17/2004
	H	CONF COM REPORTED
	H	PLACED ON CAL FOR 7/17/2004
07-12-04, 07-16-04		
#H1401 WILKES VISITOR CENTER.	HR	CH. SL 2004-101
H1422 MINT HILL/KINGS MOUNTAIN/ALL-TERRAIN VEHICLES.	H	RATIFIED
06-30-04, 07-07-04, 07-14-04		
H1520 GASTON TEMPORARY SALES TAX REFERENDUM.	H	PASSED 3RD READING
	S	REC FROM HOUSE
	S	REF TO COM ON FINANCE
	S	REPTD FAV
H1547 CHAPEL HILL OPEN SPACE.	S	CONF COM APPOINTED
06-02-04, 07-09-04, 07-14-04		
#H1688 CONCORD ANNEXATION EFFECTIVE DATE.	HR	CH. SL 2004-102
#H1700 DURHAM VEHICLE TAX SUNSET EXTENDED/USES.	HR	CH. SL 2004-103
07-07-04		
#H1734 OCEAN ISLE CANAL DREDGING.	HR	CH. SL 2004-104
06-23-04, 07-12-04		
S1044 WILKES VISITOR CENTER.	HA	REPTD FAV COM SUBSTITUTE
	H	CAL PURSUANT RULE 36(B)
	H	PLACED ON CAL FOR 7/17/2004
07-16-04		
S1060 TOWN OF FRANKLIN OCCUPANCY TAX.	S	RATIFIED
S1181 MODIFY ALLEGHANY OCCUPANCY TAX .	S	RATIFIED
06-02-04		
#S1305 ANGIER SATELLITE ANNEXATION.	SR	CH. SL 2004-99
06-07-04, 07-01-04		
#S1315 CABARRUS BOARD OF EQUALIZATION AND REVIEW.	SR	CH. SL 2004-100
07-07-04		
S1343 WHITEVILLE ANNEXATION.	S	RATIFIED

CALENDAR ACTION
July 17, 2004

PUBLIC BILLS

H0173 COSMETIC ART/CONTINUING ED/PENALTY CHANGE.	H	PRES. TO GOV. 7/16/2004
07-08-03, 07-09-03, 07-01-04, 07-07-04, 07-13-04		
H0208 MANAGED CARE/HLTH BENEFITS CLARIFYING-AB.	S	REPTD FAV COM SUBSTITUTE
	SA	COM SUBSTITUTE ADOPTED
	S	PLACED ON CAL FOR 7/17/2004
	S	PASSED 2ND & 3RD READING
	H	REC TO CONCUR S COM SUB
	H	REF TO COM ON RULES, CALENDAR, AND OPERATIONS OF THE HOUSE
04-29-03, 07-17-04		
H0281 2003 TECHNICAL CORRECTIONS ACT.	HA	CONF REPORT ADOPTED
04-23-03, 07-15-03, 07-16-03, 07-17-03, 07-18-03, 07-16-04		

S1054 INCREASE METHAMPHETAMINE PENALTIES.	S	PRES. TO GOV. 7/16/2004
05-27-04, 07-06-04, 07-09-04		
S1058 UNC & COMM. COLL. TUITION/MILITARY STUDENTS.	H	WITHDRAWN FROM COMM
	H	RE-REF COM ON RULES, CALENDAR, AND OPERATIONS OF THE HOUSE
	HA	REPTD FAV COM SUBSTITUTE
	H	CAL PURSUANT RULE 36(B)
	H	PLACED ON CAL FOR 7/17/2004
	H	PASSED 2ND & 3RD READING
07-07-04, 07-17-04		
S1083 STAGGERED PLATES/SAFETY INSPECTION CHANGE.	S	PRES. TO GOV. 7/16/2004
06-30-04		
S1089 DOT AUTHORITY TO RECEIVE FUNDS FROM LOCAL GOV.	S	PRES. TO GOV. 7/16/2004
S1118 SPECIAL LICENSE PLATES.	H	CONF REPORT ADOPTED 3RD
	S	RATIFIED
06-03-04, 06-28-04, 07-15-04		
S1128 LOCKSMITH CRIMINAL HISTORY RECORD CHECK FEE.	H	PASSED 3RD READING
	S	RATIFIED
	S	PRES. TO GOV. 7/17/2004
05-27-04		
S1384 AMEND BARBERING LAWS.	S	PRES. TO GOV. 7/16/2004
06-17-04, 07-01-04, 07-14-04		
S1414 MEDICAL BOARD FEES.	H	WITHDRAWN FROM CAL
	H	RE-REF COM ON RULES, CALENDAR, AND OPERATIONS OF THE HOUSE

LOCAL BILLS

H0142 DARE SALES TAX.	S	CONF REPORT ADOPTED 2ND
	H	CONF REPORT ADOPTED 2ND
07-07-04, 07-09-04, 07-16-04		
H0737 CONSTITUTIONAL LIMITS.	S	REPTD FAV COM SUBSTITUTE
	SA	COM SUBSTITUTE ADOPTED
	S	PLACED ON CAL FOR 7/17/2004
	S	AMEND FAILED # 1
	S	AMEND TABLED # 2
	S	PASSED 2ND READING
	S	WITHDRAWN FROM CAL
	S	PLACED ON CAL FOR 7/17/2004
	SA	AMEND ADOPTED # 3
	S	PASSED 3RD READING
	S	ENGROSSED
06-11-03, 07-14-04, 07-17-04		
H1348 CAMDEN OCCUPANCY TAX.	SA	CONF REPORT ADOPTED
	HA	CONF REPORT ADOPTED
	H	RATIFIED
07-12-04, 07-16-04		
#H1422 MINT HILL/KINGS MOUNTAIN/ALL-TERRAIN VEHICLES.	HR	CH. SL 2004-108
06-30-04, 07-07-04, 07-14-04		
H1520 GASTON TEMPORARY SALES TAX REFERENDUM.	S	PASSED 2ND READING

H1547 CHAPEL HILL OPEN SPACE.	H	CONF COM WITHDRAWN/DISMI
	H	PLACED ON CAL FOR 7/17/2004
	H	CONCURRED IN S/COM SUB
	H	RATIFIED
06-02-04, 07-09-04, 07-14-04		
H1671 MOORESVILLE STREETS AND SIDEWALKS.	S	REPTD FAV
	S	PLACED ON CAL FOR 7/17/2004
	S	PASSED 2ND & 3RD READING
	H	RATIFIED
#S1060 TOWN OF FRANKLIN OCCUPANCY TAX.	SR	CH. SL 2004-105
#S1181 MODIFY ALLEGHANY OCCUPANCY TAX .	SR	CH. SL 2004-106
06-02-04		
#S1343 WHITEVILLE ANNEXATION.	SR	CH. SL 2004-107

CALENDAR ACTION
July 18, 2004

PUBLIC BILLS

H0208 MANAGED CARE/HLTH BENEFITS CLARIFYING-AB.	H	WITHDRAWN FROM COMM
	H	CAL PURSUANT RULE 36(B)
	H	PLACED ON CAL FOR 7/18/2004
	H	CONCURRED IN S/COM SUB
	H	RECALLED FROM ENROLLING
	H	RECONSIDERED CONCURRENCE
	H	RE-REF COM ON RULES, CALENDAR, AND OPERATIONS OF THE HOUSE
04-29-03, 07-17-04		
H0281 2003 TECHNICAL CORRECTIONS ACT.	H	RATIFIED
04-23-03, 07-15-03, 07-16-03, 07-17-03, 07-18-03, 07-16-04		
H0831 SALTWATER FISHING FUND/HOLDOVER APPOINTMENTS.	H	PRES. TO GOV. 7/18/2004
05-20-03, 07-09-03, 07-17-03, 07-18-03, 07-19-03, 07-06-04		
H1264 FINANCE VITAL PROJECTS/STUDIES.	H	PRES. TO GOV. 7/18/2004
06-10-04, 07-07-04, 07-15-04		
H1414 2004 APPROPRIATIONS ACT.	H	PRES. TO GOV. 7/18/2004
06-07-04, 06-08-04, 06-15-04, 06-22-04, 06-23-04, 07-17-04		
H1463 HEALTH INSURANCE INNOVATIONS COMMISSION.	H	PRES. TO GOV. 7/18/2004
06-09-04, 06-10-04, 06-23-04, 06-28-04, 07-16-04		
H1464 SCHOOL CALENDAR CHANGES.	S	CONF COM REPORTED
	S	PLACED ON CAL FOR 7/18/2004
	SA	CONF REPORT ADOPTED
	H	CONF COM REPORTED
	H	PLACED ON CAL FOR 7/18/2004
	HA	CONF REPORT ADOPTED
	H	RATIFIED
07-01-04, 07-15-04, 07-16-04, 07-18-04		
S0003 NC MOTORSPORTS TESTING AND RESEARCH/FUNDS.	HA	REPTD FAV COM SUBSTITUTE
	H	CAL PURSUANT RULE 36(B)
	H	PLACED ON CAL FOR 7/18/2004
	H	PASSED 2ND & 3RD READING
	S	REC TO CONCUR H COM SUB
	S	PLACED ON CAL FOR 7/18/2004
	S	CONCURRED IN H/COM SUB
02-18-03, 07-18-04		
S0064 2004 APPOINTMENTS BILL.	HA	REPTD FAV COM SUBSTITUTE

can request deviations regarding information processing functions or equipment. Makes additional technical and conforming amendments.

S 1118. SPECIAL LICENSE PLATES. Intro. 5/17/04. Conference report recommends the following changes to 3rd edition to reconcile matters in controversy. Increases additional fee for "First in Forestry" plate from $20 to $30 and adds allocation of $10 from these plates to the Natural Heritage Trust Fund.

S 1152. STUDIES ACT OF 2004 (NEW). Intro. 5/18/04. Senate committee substitute makes the following changes to 1st edition.

Legislative Research Commission

The Legis. Research Comm'n is authorized to undertake studies of the following topics:

(1) Government regulatory issues:
- a. Fire safety in local confinement facilities
- b. Regulating ticket brokers
- c. Light pollution
- d. Urban cores
- e. Legislative and Executive branch lobbying
- f. Alcoholic beverage control
- g. State fire protection

(2) Transportation issues:
- a. Purchasing alternative-fuel or low-emission school buses
- b. Commercial drivers license requirements and emergency situations

(3) Consumer issues:
- a. Debt collection practices

(4) Insurance issues:
- a. Workers' compensation/trucking companies

(5) Criminal law issues:
- a. Review of sentencing guidelines
- b. Judicial approval for pleas in certain cases

(6) State employee issues:
- a. Pay equity
- b. Job sharing
- c. Reemployment of retirees
- d. Postretirement earnings

(7) Other:
- a. Guardianship
- b. Immigration
- c. Marine fisheries
- d. Casino nights for nonprofit organizations
- e. Soil and water conservation issues
- f. Trafficking of persons
- g. Regulation of sellers of timeshares
- h. Attorney solicitation regulation

(8) Size/scope of boards and commissions

(9) Availability of health insurance for small businesses and trade associations

(10) Availability of health insurance for uninsurable individuals

(11) Pawnbrokers

(12) Medicaid funding

(13) Study VOCATS

(14) Availability and delivery of government services to hispanics

(15) Office of state energy

(16) Comprehensive statewide emergency communications planning

(17) School calendar/later first instructional day/workdays

(18) Naturopathy

(19) Equity-building Homes

(20) Funding/budgeting of occupational licensing boards

(21) State-local relationships

For each of the topics the Comm'n decides to study it must make a final report to the 2005 General Assembly.

Joint Legislative Growth Strategies Oversight Committee

Authorizes the Jt. Legis. Growth Strategies Oversight Comm. to study delegation of authority to cities and counties, modernizing city and county planning, and transferable development rights. Extends expiration date of Comm'n to Jan. 16, 2007 (was, Jan. 16, 2005).

Study Commission on Residential and Urban Development Encroachment on Military Bases and Training Areas

Establishes 17-member Comm'n to study residential and urban development encroachment on military bases and training areas. Comm'n to submit a final report to the 2005 General Assembly upon its convening

Legislative Study Commission on State Personnel

Requires the General Assembly to study issues related to the State Personnel Act. Comm'n to submit a final report to the 2006 Regular Session of the 2005 General Assembly.

Electronic Recordation and Revision of Notary Laws

Requires that the General Statutes Comm'n study electronic recordation, specifically with regard to real property documents and other documents filed with registers of deeds, Comm'n to report to the 2005 General Assembly upon its convening. Further requires the Sec'y of State to study amending the notary public laws in order to modernize and simplify their administration and electronic notarization, Sec'y to report to the 2005 General Assembly upon its convening.

Uniform Unincorporated Nonprofit Association Act

Directs the General Statutes Comm'n to study the Uniform Unincorporated Nonprofit Association Act in consultation with interested parties and to report to the 2005 General Assembly.

Innovative Peat-Based Wastewater Systems Study

Requires that the Comm'n for Health Services evaluate the desirability and feasibility of implementing a pilot program for any individual seeking to use an innovative wastewater system that uses peat-based technology at the individual's residence that complies with specified standards and identify two or more counties that would participate in the pilot program. Comm'n shall report the results of its evaluation to the Senate and House of Representatives Appropriations Subcommittees on Natural and Economic Resources, the Fiscal Research Division, and the Environmental Review Commission on or before Jan. 15, 2005.

Joint Legislative Utility Review Committee

Authorizes the Jt. Legis. Utility Review Comm. to study the economic, environmental, and social issues associated with the development and use of renewable and alternative energy in the state.

North Carolina Building Code Council Study

Requires that the North Carolina Building Code Council study the Residential Building Code to determine which provisions, if any, are unnecessary, outdated, overly stringent, or otherwise unduly increase the cost of housing. Authorizes Council to submit its report to the 2005 General Assembly upon its convening.

Local School Construction Financing Study Commission

Establishes 18-member Local School Construction Financing Study Comm'n and requires that Comm'n examine the present system of local financing for school facilities and alternative options for financing local school construction, renovation, repair, and maintenance. Comm'n shall submit final report to General Assembly no later than March 31, 2006.

Voter Paper Trail Study

Establishes a nine-member Electronic Voting Systems Study Comm'n to study whether direct record electronic (DRE) voting systems should be prohibited in North Carolina unless each unit of the system produces a voter-verifiable paper record that is suitable for a recount or a manual audit and that is equivalent or superior to the paper record produced by a paper ballot system. Comm'n shall submit final report to the 2005 General Assembly upon its convening.

Joint Legislative Education Oversight Committee Studies

The Jt. Legis. Education Oversight Comm. is authorized to undertake studies of the following topics and report its findings to the 2005 General Assembly upon its convening:

(1) Teacher assistant salary schedule
(2) Rural schools
(3) Physical restraints/seclusion in schools
(4) High school graduation rate incentives
(5) At-risk students single funding stream
(6) Close achievement gap
(7) E-textbooks for students
(8) Attracting teachers to become coaches
(9) Kindergarten admission requirements
(10) Update the job description for school counselors
(11) Testing reform
(12) Total teacher program
(13) School construction
(14) Computer-based math and literacy programs for children under age 6
(15) Appropriate education for students on long-term suspension
(16) School nutrition/physical activity

Revenue Laws Study Committee

The Revenue Laws Study Comm. is authorized to undertake studies of the following topics and report its findings to the 2005 General Assembly upon its convening:

(1) Valuation of lots in subdivisions
(2) Private activity bonds
(3) Conform bank expense deduction
(4) Subsidiary dividend taxes
(5) Income tax derived from manufacturing
(6) Tax foreclosures
(7) Comparative tax burden
(8) Tax incentives to promote preservation of open spaces
(9) Sales and use tax exemption
(10) Tax preferences
(11) Reduce utility equipment sales tax
(12) Business taxation
(13) Tax credits for certain real property donations
(14) Travel and tourism capital investment

Joint Legislative Health Care Oversight Committee

The Jt. Legis. Health Care Oversight Comm. is authorized to undertake studies of the following topics and report its findings to the 2005 General Assembly upon its convening:

(1) Benefits for state employee dependents
(2) Consolidation of state health care services

Study of Various Ways to Promote Government Efficiency and Saving in State Spending

Authorizes UNC (through the Office of the President), the Judicial Branch (through the Administrative Office of the Courts), the Executive Branch (through the Dep't of Administration), the Legislative Branch (through the Legis. Services Office), the Community College System (through the President's Office), and the Dep't of Public Instruction to jointly study various ways to promote government efficiency and savings on state spending, including the following proposals:

(1) Consolidate administrative functions
(2) Statewide benefit committee established
(3) DMV-NCDL/registration extensions
(4) Combine state safety programs
(5) Increase use of public defenders

(6) Controller's fee
(7) Deferred retirement option program

Requires that the Dep't of Administration report the results of this study to the Legislative Research Commission by Jan. 15, 2005.

Joint Legislative Transportation Oversight Committee Studies

Authorizes the Jt. Legis. Health Care Oversight Comm. to undertake studies of the following topics and report its findings to the 2005 General Assembly upon its convening:

(1) I-95 Tolls
(2) Alternative fuels
(3) Comprehensive transportation issues

Study Financing of Mental Health, Developmental Disabilities, and Substance Abuse Services

Requires that DHHS study the financing of mental health, developmental disabilities, and substance abuse services, including funding sources and alternative financing mechanisms, and report its findings and recommendations to the Legislative Oversight Committee on Mental Health, Developmental Disabilities, and Substance Abuse Services, the House of Representatives Appropriations Subcommittee on Health and Human Services, the Senate Appropriations Committee on Health and Human Services, and the Fiscal Research Division no later than July 1, 2005.

Environmental Review Commission Studies

Authorizes the Environmental Review Comm'n to undertake studies of the following topics and report its findings to the 2005 General Assembly upon its convening:

(1) Effectiveness of environmental programs
(2) Plan to share floodplain mapping information
(3) Water restriction guidelines
(4) Regional water supplies
(5) Clean air trust fund
(6) Fair bargain act
(7) Deterrents to stormwater runoff
(8) Protecting property owners adjacent to activities for which a stormwater permit is issued
(9) Highway use tax based on efficiency/vehicle registration based on vehicle miles traveled
(10) State parks and recreations areas
(11) Stormwater issues

Highway Trust Fund Study Committee Extended

Amends Sec. 20.1 of S.L. 2003-284 to extend deadline for final report to Jan. 31, 2005 (was, Nov. 1, 2004).

Department of Administration Study

Authorizes the Dep't of Administration to study retainage from payment on public construction projects and report the results of its study to the 2005 General Assembly upon its convening.

UNC Board of Governors Study Commission

Creates a 10-member UNC Board of Governors Study Comm'n, Comm'n to study the method of election or appointment of members of the Board of Governors, the length of members' terms, the number of terms a member may serve, and the size of the Board of Governors. As part of the study, the Commission may examine the governing boards of other states' institutions of higher education. Requires that Comm'n report its findings and any recommendations to the 2005 Regular Session of the General Assembly.

North Carolina Study Commission on Aging

Authorizes the NC Study Comm'n on Aging to undertake studies of the following topics and report its findings to the 2005 General Assembly upon its convening:

(1) Long-term care remediation
(2) Mentally ill long-term care residents

Joint Legislative Oversight Committee on Mental Health, Developmental Disabilities, and Substance Abuse Services Studies

Authorizes the Jt. Legis. Oversight Comm. on Mental Health, Developmental Disabilities, and Substance Abuse Services Studies to undertake studies of the following topics and report its findings to the 2005 General Assembly upon its convening:

(1) Integration of care for children with multiple system service needs
(2) Mental health in prisons

Joint Legislative Commission on Seafood and Aquaculture Study

Authorizes the Jt. Legis. Comm'n on Seafood and Aquaculture to study whether it should be unlawful to take shrimp with trawl nets in certain inland waters and may report its findings to the 2005 General Assembly upon its convening.

Administrative Office of the Courts/Department of Correction Study

Authorizes the Administrative Office of the Courts and the Dep't of Correction to jointly study the processes for the collection and payment of restitution in this state and identify methods for reducing the number of unclaimed restitution payments, and report their findings to the 2005 General Assembly upon its convening.

Marine Fisheries Commission Study of Shellfish Cultivation Leases

Authorizes the Marine Fisheries Comm'n to study the following topics and report its findings to the Jt. Legis. Comm'n on Seafood and Aquaculture no later than Dec. 1, 2004:

(1) Shellfish Cultivation Lease Extensions
(2) Corporate Ownership of Shellfish Cultivation Leases

Office of State Budget and Management Study

Authorizes the Office of State Budget and Management to conduct an analysis of the structure and operation of the Dep't of Public Instruction and report it analysis to the Jt. Legis. Education Oversight Comm. by Jan. 15, 2005.

UNC Board of Governors Study Feasibility of Forgiveness of Student Debt Program

Authorizes the UNC Board of Governors, in conjunction with the NC State Education Assistance Authority to study the feasibility of a program that would forgive student indebtedness for teachers who have continuing certification in and are teaching in the disciplines of mathematics, science, or special education, and report its findings to the Joint Legislative Education Oversight Committee by Jan. 15, 2005.

State Board Teacher Retention Task Force

Requires that the State Board of Education form a Task Force to study issues related to effective recruitment and retention of teachers for the North Carolina public schools and report its findings and recommendations to the Jt. Legis. Education Oversight Comm. prior to Feb. 15, 2005.

Joint Legislative Corrections, Crime Control, and Juvenile Justice Oversight Committee

Authorizes the Jt. Legis. Corrections, Crime Control, and Juvenile Justice Oversight Comm. to study the confinement of inmates who are irreversibly physically incapacitated due to chronic illness or disability and report its findings no later than the convening of the 2005 General Assembly.

Agriculture and Forestry Awareness Study Commission Studies

Authorizes the Agriculture and Forestry Awareness Study Comm'n to study the following topics and report its findings to the 2005 General Assembly upon its convening:

(1) Agriculture commodity incentives
(2) Food safety and security
(3) Dairy industry

Committee on Employee Hospital and Medical Benefits Study Newborn Coverage

Authorizes the Comm. on Employee Hospital and Medical Benefits to study issues pertaining to newborn benefits and adjusting deductibles and co-payments according to member's income under the Teachers' and State Employees' Comprehensive Major Medical Plan ("Plan").

Hurricane Evacuation Standards Study Commission

Establishes six-member Hurricane Evacuation Standards Study Comm'n to study the development and establishment of hurricane evacuation standards for the state, Comm'n to report its findings to the Governor and the Jt. Legis. Transportation Oversight Comm. of the General Assembly by Jan. 15, 2005.

Joint Legislative Oversight Comm. on Information Technology

Enacts new GS 120-261 establishing the 16-member Jt. Legis. Oversight Comm. on Information Technology and requires the Comm. to examine, on a continuing basis, systemwide issues affecting state government information technology, including, but not limited to, state information technology operations, infrastructure, development, financing, administration, and service delivery. Requires that Comm. submit annual reports to the General Assembly on or before the convening of the regular session of the General Assembly each year. Repeals Ch. 120, Art. 26.

Stream Mapping

Requires that the Geographic Information Coordinating Council and the Dep't of Environment and Natural Resources develop and recommend a plan to improve the mapping and digital representation of surface waters in North Carolina, inciuding intermittent and perennial streams, lakes, and ponds, to the General Assembly and the Environmental Review Comm'n on Jan. 15, 2005.

Study Commission on Health Care Workforce Development

Creates the 17-member Health Care Workforce Study Comm'n to study methods to increase the number of people providing health and dental care in this state and to overcome existing barriers contributing to the health care providers shortages, Comm'n to submit a final report to the 2006 Regular Session of the 2005 General Assembly.

Smart Start Funding

Establishes a 21-member Smart Start Funding Study Comm'n. to study the funding of the North Carolina Partnership for Children, Inc., Comm'n to submit its final report to the 2005 General Assembly.

Joint Legislative Healthcare Oversight Committee

Authorizes the Jt. Legis. Health Care Oversight Comm. to study the following:

(1) Nursing shortage
(2) Medical errors
(3) Environmental causes of cancer
(4) Educating the public on ovarian cancer risks and prevention
(5) Reducing prescription drug costs
(6) Bulk purchasing of pharmaceutical drugs
(7) Internet sale of prescription drugs
(8) Pain management and palliative care
(9) Care of the mentally ill in long-term care facilities

Child Welfare System Reform

Requires that DHHS transfer funds to the General Assembly to hire an independent consultant to evaluate North Carolina's Child Welfare System at the state and local levels and provide recommendations to reform that system and that the Fiscal Research Div'n, issue a request for proposal (RFP) for an independent consultant with extensive experience in child welfare systems to develop recommendations for reforming the state's existing system. The final report from the consultant shall be presented to the House of Representatives Appropriations Subcommittee on Health and Human Services, the Senate Appropriations Comm. on Health and Human Services, and the Fiscal Research Div'n no later than Oct. 1, 2005.

S 1152. STUDIES ACT OF 2004. Intro. 5/18/04. Senate amendment adopted 7/16/04 makes the following changes to 2nd edition. Increases membership of Health Care Workforce Study Comm'n to 19 (was, 17). Makes technical changes.

HOUSE BILLS

H 142. DARE SALES TAX (NEW). Intro. 2/27/03. Conference report recommends the following changes to 3rd edition to reconcile matters in controversy. Deletes provisions of bill related to privilege tax on innkeepers, meals tax, and room tax. Revises provisions of bill related to local option sales and use tax to increase amount of tax that may be levied from additional one-half percent to additional one percent. Adds provision that local option sales and use tax expires eight years after effective date of its levy. Adds provision that tax levied under this authority does not apply to construction material purchased to fulfill a lump-sum or unit-price contract entered into or awarded before the effective date of the levy. Amends title of bill to reflect deletions.

H 281. 2003 TECHNICAL CORRECTIONS ACT (NEW). Intro. 3/6/03. Conference report recommends the following changes to 6th edition to reconcile matters in controversy. Deletes amendments to the following: GS 20-119(g); 48-2-206(c), -206(d), -207, -304(c), -305(7), –401(b), –401(c), and –405; 66-291(b)(2); 108A-70.21(d); 110-90(1a); 113A-115.1(b); 115C-238.29B(a) and –238.29E; 115C-437; 115C-325(a)(5a); 120-2.2A; 126-3(10); 130A-1.1, -2, -2.1, -2.2, -2.3, 2.4, and 5; GS 131E-155, 159, and 162; 135-3(8)c., –40.8(e), and -106(a); 136-180(a); 143-508(13), -509(9), and –518(a); 143B-437.51 and –437.54(d); 150B-21.1(a), -21.1(a1), -21.1A(a), -21-12(c), and -21.1(a)(16); 163-166.12(b1); SL 2003-284, Sections 2.2(a), 3.1, 5.1(a) and (p), 6.3(b), 7.36, 7.5, 10.5, 10.8G, 10A.2(a), 10A.3(a), 12.6C(e), 12.11A, 21.2(a)(5), 23.1, 30.3, 30.20(k), 30.16, 45.12, 46.1, 46.2; SL 2002-126, Sec. 22.6; Sections 49.6(d) and (f), 107, 108, 109, 110, 111, 112, 113; and amendments to the following 2003 acts if they become law: S 236, S 668, S 919, H 1182. Amends GS 14-298 to provide that gaming items may also be destroyed or used for training purpose if the item was being unlawfully used with the owner's knowledge and provides that amendments to sec. are effective Oct. 1, 2004. Amends GS 35A-1290(c) to delete provision authorizing clerk to remove a guardian without hearing under circumstances listed in sec. and to authorize clerk to take other action sufficient to protect the ward's interests. Amends GS 35A-1291 to authorize clerk to remove a guardian without hearing if clerk finds reasonable cause to believe that an emergency exists that threatens ward's physical well-being or presents serious risk to ward's estate. Amends GS 95-138 to change effective date to Oct. 1, 2004 (was, Jan. 1, 2004). Amends GS 120-29.5 and 58-31-66 to change effective date to Oct. 1, 2004 (was, Oct. 1, 2003). Makes GS 20-141(o) effective Dec. 1, 2004. Reinstates SL 2003-147, Sec. 5. Makes technical changes.

H 1213. MONETARY COMPENSATION/OUTDOOR ADVERTISING (NEW). Intro. 4/10/03. Senate committee substitute makes the following changes to 4th edition. Replaces existing bill with new bill entitled *AN ACT TO REQUIRE LOCAL GOVERNMENTS TO PAY MONETARY COMPENSATION FOR REMOVAL OF LAWFULLY ENACTED OFF-PREMISES OUTDOOR ADVERTISING SIGNS AND TO AUTHORIZE LOCAL GOVERNMENTS TO ENTER INTO RELOCATION AND RECONSTRUCTION AGREEMENTS WITH OWNERS OF NONCONFORMING OFF-PREMISES OUTDOOR ADVERTISING SIGNS.* Enacts GS 153A-143 and 160A-199 to provide that counties and cities may not require removal of off-premise outdoor advertising signs that do not conform to local ordinances without payment of monetary compensation to the owners such signs unless: (1) the local government and sign owners agree to relocation of the sign; (2) the local government and sign owner enter a voluntary agreement providing for removal of the sign after a set period of time in lieu of monetary compensation; (3) the sign is a public nuisance or is a detriment to public health or safety; (4) removal is related to construction of streets, sidewalks, or public enterprises and the sign is allowed to be relocated to a comparable location; or (5) the removal is required pursuant to an ordinance of generally applicability to demolition or removal of damaged structures. When required, the monetary compensation is the fair-market value of the sign (without consideration of the removal requirement), with fair market value determined according to the factors in GS 105-317.1(a) regarding valuation of personal property for tax purposes and the listed property tax value of the sign, along with other information regarding value submitted to the taxing authority. If agreement on monetary compensation is not reached, the local government may bring an action in superior court to for a determination of fair market value. Specifies the content and factors to be considered in relocation agreements and authorizes the local government to provide dimensional, spacing, setback, and use variances as deemed appropriate to accommodate relocation. Provides for binding arbitration if local government and sign owner have agreed to relocation but fail to agree as to what constitutes a comparable or better site for relocation (and if arbitration results in finding that relocation site is not comparable, compensation is required if the local government elects to proceed with removal). Allows local government to make payment of monetary compensation over a three year period, provided the nonconforming sign remains in place until compensation is paid. These provisions do not apply to regulations in effect as of effective date of legislation (including geographic expansion of existing municipal ordinances through annexation or extraterritorial jurisdiction changes), do not affect the exercise of

eminent domain under GS Ch. 40A or 136, and do not affect amortization of nonconforming uses other than off-premise outdoor advertising.

H 1213. MONETARY COMPENSATION/OUTDOOR ADVERTISING. Intro. 4/10/03. Senate amendment makes the following changes to 5th edition. Amends proposed GS 160A-199(d) to clarify that compensation exception applies to municipal ordinances generally applicable to demolition or removal of damaged structures (as previously provided with comparable county provision).

H 1264. FINANCE VITAL PROJECTS/STUDIES (NEW). Intro. 4/29/03. Conference report recommends the following changes to 3rd edition to reconcile matters in controversy. Deletes Senate committee substitute adopted 7/7/04 and replaces it with the following bill. (1) Authorizes the state to use special indebtedness to finance construction of five new projects in UNC system--$180,000,000 for cancer rehabilitation and treatment center at UNC Hospitals at Chapel Hill; $35,000,000 for Bioinformatics Center at UNC-Charlotte; $28,000,000 for Pharmacy School at Elizabeth City State University; $35,000,000 for Center for Health Promotion and Partnerships at UNC-Asheville—and to finance land acquisition and site preparation for five projects--$10,000,000 each for Center of Excellence of Teaching and Nursing at Fayetteville State University; joint Millennial Campus of N.C. A & T and UNC-Greensboro; Optometry School at UNC-Pembroke; to Western Carolina University for NC Center for Health and Aging (to be operated as consortium among Western Carolina Univ., UNC-Asheville, and Mountain Area Health Education Consortium); and Winston-Salem State University for Center for Design Information to be operated jointly by Winston-Salem State and NC School of the Arts. (2) Authorizes state to use special indebtedness up to $35,000,000 to finance construction of up to five youth development centers. (3) Requires Health and Wellness Trust Fund and Tobacco Trust Fund each to transfer to the General Fund annually one-half of the estimated debt service on the UNC and youth facility indebtedness. The amount transferred each fiscal year is capped at 30% of each trust fund's receipts through 2006-07 and 65% for later fiscal years. (4) Authorizes state to use special indebtedness for capital projects for the State Parks System, for parks, recreation, and preservation of natural heritage; and for clean water conservation. Provides that repayment of debt to be made from existing revenue streams dedicated to the Parks and Recreation Trust Fund, the Natural Heritage Trust Fund, and the Clean Water Management Trust Fund. Authorization is set at $45 million of which $20 million is to acquire land near military bases and $25 million is for parks and game lands. Amends GS 113-44.15 to require NC Parks and Recreation Authority to allocate funds from the Trust Fund with a geographic distribution across the state to extent practicable rather than merely considering geographic distribution. Specifies that acquisition of land near military bases to prevent encroachment is a high priority. (5) Creates the Debt Affordability Advisory Committee to advise the Governor and General Assembly annually on the estimated debt capacity of the state for the upcoming 10 years. The committee is composed of the State Treasurer, Sec'y of Revenue, State Budget Officer, State Controller, two public members appointed by the President Pro Tem of the Senate, and two public members appointed by the Speaker of the House. (6) Directs the UNC Board of Governors in collaboration with the State Board of Community Colleges to contract with a consultant to study higher education program and facility needs. Requires special emphasis on the development of signature programs at Historically Black Colleges and UNC-Pembroke. (7) Enacts GS 142-95 to create a statutory framework for a new type of state special indebtedness called "RECOP indebtedness," which involves lower debt service payments during term of debt with larger payment due at maturity and which allows indebtedness to be secured by specific real property of the state. Prohibits use RECOP indebtedness without adoption of legislation authorizing financing for specific projects. Directs State Treasurer to study RECOP indebtedness and report to Joint Legislative Committee on Government Operations by Feb. 1, 2005. (8) Provisions regarding Health and Wellness Trust Fund and Tobacco Trust Fund effective July 1, 2004; remainder of bill effective when it becomes law.

H 1348. CAMDEN OCCUPANCY/HYDE MEALS TAXES. Intro. 5/10/04. Conference report recommends the following changes to 2nd edition to reconcile matters in controversy. Deletes provisions authorizing Hyde County to levy a prepared food tax.

H 1463. HEALTH INSURANCE INNOVATIONS COMMISSION. Intro. 5/17/04. Conference report recommends the following changes to 4th edition to reconcile matters in controversy. Amends Sec. 2 to provide that 14 members of Comm'n shall be appointed by Speaker and 14 members by the Pres. Pro Temp. (was, 13 by Speaker, 13 by Pres. Pro Temp., and 2 by chair of Health and Wellness Trust Fund Comm'n). Further amends sec. to establish Comm'n membership qualifications. Makes technical corrections.

H 1464. SCHOOL CALENDAR CHANGES. Intro. 5/17/04. Senate committee substitute adopted 7/15/04 makes the following changes to 2nd edition. Reduces school calendar year from 220 days to 215 days (rather than 210 days). Provides that five teacher workdays are protected for instructional and classroom administrative duties, but deletes requirement that one of these days be scheduled at the beginning and end of the school year. Adds requirement for consultation with school board prior to scheduling remaining work and make-up days. Allows teachers to take accumulated vacation leave on the five protected teacher workdays. Specifies that different calendars may be adopted for different schools for good cause. Sets the daily rate of pay for teachers at midway between one twenty-first and one twenty-second of the monthly rate of pay.

H 1636. RENEWABLE FUEL TAX CREDITS. Intro. 5/24/04. Senate committee substitute adopted 7/15/04 makes the following changes to 2nd edition. Changes sunset from Jan. 1, 2010, to Jan. 1, 2008.

SUMMARIES OF AMENDMENTS AND COMMITTEE SUBSTITUTES JULY 17, 2004

SENATE BILLS

S 3. NC MOTORSPORTS TESTING AND RESEARCH/FUNDS (NEW). Intro. 2/10/03. House committee substitute makes the following changes to 2nd edition. Change title to read *AN ACT TO PROVIDE FUNDING FOR THE NC MOTORSPORTS TESTING AND RESEARCH COMPLEX AND TO ADJUST THE US 17 INTRASTATE SYSTEM PROJECT.* Amends H 1414 (the budget bill) to increase appropriation from General Fund from $2 million to $4 million for NC Motor Sports Testing and Research Complex for 2004-05. Adds to GS 136-179 several projects for improvements to US-17.

S 64. 2004 PRO TEM APPOINTMENTS BILL (NEW). Intro. 2/18/03. Senate committee substitute makes the following changes to 1st edition. Changes title to read *AN ACT TO APPOINT PERSONS TO VARIOUS PUBLIC OFFICES UPON THE RECOMMENDATION OF THE PRESIDENT PRO TEMPORE OF THE SENATE AND TO MAKE VARIOUS CHANGES TO BOARDS AND COMMISSIONS.* As title indicates. Amends GS 143B-452(a) to increase the membership of the NC State Ports Authority from 11 to 13. Amends GS 143B-452(e) to delete the existing provision and replace it with a provision, effective July 1, 2004, that directs the General Assembly to appoint 6 members, 3 by the Speaker and 3 by the Pres. Pro Tem. Of each group of 3, 1 shall serve a term of 1 year, and 2 shall serve terms of 2 years. After the initial appointments, all terms shall be for 2 years. Amends GS 160A-480, concerning authorities, to provide that an authority shall have either 10 or 21 members, (now, 8 or 19). Amends GS 160A.3 to provide that 5 members (now, 4) shall be appointed by the Speaker and 5 by the Pres. Pro Tem.

S 64. 2004 PRO TEM APPOINTMENTS BILL. Intro. 2/18/04. Senate amendment makes the following changes to 2nd edition. Makes technical changes only.

S 577. ADJUST COURT JURIS./AMEND MAGISTRATE TERM (NEW). Intro. 3/31/03. House committee substitute makes the following changes to 3rd edition. Amends title to *AN ACT TO RAISE THE JURISDICTIONAL AMOUNT FOR SMALL CLAIMS ACTIONS TO FIVE THOUSAND DOLLARS, TO CLARIFY JURISDICTION FOR REVOCATION OF PROBATION WHEN PLEAS WERE ENTERED IN DISTRICT COURT, TO DEFINE DRUG TREATMENT COURT AS AN INTERMEDIATE PUNISHMENT, TO REQUIRE THE COURT TO GIVE NOTICE OF RIGHTS TO CONTEST MECHANICS' LIEN STORAGE CHARGES OF VEHICLES SEIZED UNDER THE DWI FORFEITURE LAWS, TO PERMIT CLERKS OF COURT TO GRANT DIVORCES IN UNCONTESTED ABSOLUTE DIVORCE ACTIONS, TO TERMINATE AS A MATTER OF LAW CERTAIN PARENTAL RIGHTS OF A PERSON CONVICTED OF CERTAIN CRIMES THAT RESULT IN THE VICTIM BECOMING PREGNANT, AND TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO CHANGE THE TERM OF OFFICE OF MAGISTRATES FOR AN INITIAL TERM OF TWO YEARS AND SUBSEQUENT TERMS OF FOUR YEARS.* Deletes provisions of bill authorizing district court judges to accept certain felony pleas, provisions regarding concurrent jurisdiction for district and superior court judges in infraction and misdemeanor cases, and provisions related to expedited child support process. Adds provisions relative to revocation of probation, drug treatment court, mechanics liens regarding seized vehicles, termination of parental rights of those convicted of rape, and magistrate terms as title indicates. Sets vote on proposed amendment to Sec. 10, Art. IV of Constitution regarding

magistrate terms for Nov., 2004 election. Amendments affecting probation revocation and drug court are effective when bill becomes law. Amendments affecting small claims jurisdiction, liens on seized vehicles, and divorce proceedings are effective Oct. 1, 2004. Amendments affecting parental rights are effective Dec. 1, 2004. Amendment regarding magistrate terms and appointments becomes effective Jan. 1, 2005 if constitutional amendment is approved by voters.

S 657. TANNING SALONS/RESTRICTIONS ON USE. Intro. 4/1/03. House committee substitute makes the following changes to 3rd edition. Changes title to reflect contents of 3rd ed, but makes no substantive changes.

S 805. BEAUTIFY MALL (NEW). Intro. 4/3/03. House committee substitute makes the following changes to 1st edition. Directs Dep't of Administration to use funds appropriated to it to remove the water fountain on the State Government Mall and to beautify the site.

S 823. AMEND ENVIRONMENTAL LAWS-3/APPOINTMENTS (NEW). Intro. 4/3/03. House committee substitute makes the following changes to 2nd edition. Adds provision that term limits for members of the Agricultural Finance Authority do not apply to those who are members of Authority at the time the act becomes effective. Adds amendment to GS 120-122 to provide that when the term of office for a legislative appointee expires and a successor has not been appointed, the Governor may appoint a successor (even where the previous appointee is holding over) to serve until the expiration of the term or until the General Assembly fills the vacancy.

S 1044. CORNELIUS STREETS/SIDEWALKS (NEW). Intro. 5/11/04. House committee substitute makes the following changes to 1st edition. Changes title to read *AN ACT TO ALLOW THE TOWN OF CORNELIUS TO PROVIDE FOR STREET OR SIDEWALK IMPROVEMENTS WITHOUT PETITION.* Changes bill as title indicates.

S 1058. UNC & COMM. COLL. TUITION/MILITARY STUDENTS. Intro. 5/13/04. House committee substitute makes the following changes to 2nd edition. Enacts new GS 116-143.1(h1), which provides that any reserve or active duty member of a NC National Guard unit who is a nonresident shall be eligible to be charged the in-state tuition rate. Enacts new GS 127A-202.1(f) (discrimination against National Guard members) making sec. applicable when a member of the National Guard is called into active duty. Changes effective date to Aug. 1. 2004 (was, July 1, 2004).

S 1225. 2004 TECHNICAL CORRECTIONS ACT. Intro. 5/20/04. House committee substitute makes the following changes to 3rd edition. Adds amendment to GS 90-85.21A(a) to set additional registration requirements for a pharmacy operating outside NC that ships, mails, or delivers dispensed legend drugs into NC. Adds amendment to GS 143-64 to require school units, community colleges, and UNC institutions to bid contracts for sale of juice and contracts for sale of bottled water separately from each other and from any other contract. Adds amendment to GS 14-298, seizure of illegal gaming items, effective Oct. 1, 2004. Allows sheriffs and law enforcement officers, after determination of probable cause, to seize items illegally possessed or used. Requires law enforcement agency to retain item pending order from judge either releasing item to owner or to law enforcement agency for destruction or training purposes. Provides that these procedures for release do not apply if item is seized for use as evidence in criminal action or proceeding until after entry of final judgment. Adds additional technical corrections. Changes effective date for certain sections of act; most sections are effective when act becomes law.

S 1445. ADJOURNMENT OF GENERAL ASSEMBLY. Intro. 7/17/04. Senate committee substitute makes the following changes to 1st edition. Provides for adjournment sine die on July 18, 2004, rather than July 17.

HOUSE BILLS

H 208. CONVENING ORGANIZATIONAL SESSION. Intro. 3/5/03. Senate committee substitute makes the following changes to 2nd edition. Replaces previous edition with *AN ACT TO PROVIDE FOR AN ORGANIZATIONAL SESSION OF THE GENERAL ASSEMBLY ON THE SECOND MONDAY IN JANUARY AND FOR ADJOURNMENT UNTIL THE THIRD MONDAY AFTER THE INITIAL CONVENING WHEN A HOUSE HAS COMPLETED ITS ORGANIZATIONAL TASKS.* Amends GS 120-11.1 as title indicates.

H 737. CONSTITUTIONAL LIMITS. Intro. 3/27/03. Senate amendment makes the following changes to 4th edition. Amends proposed new GS 163-278.80(3) to exclude from the term "electronic communication" a

communication made while the General Assembly is in session which, incidental to advocacy for or against a specific piece of legislation pending before the General Assembly, urges the audience to communicate with a member or members of the General Assembly concerning that piece of legislation, and makes an identical exclusion from the term "electioneering communication" in proposed new GS 163-278.90(3). Further excludes from the term "electioneering communication" in proposed new GS 163-278.90(3) a communication distributed by a corporation solely to its shareholders or employees, or by a labor union or professional association solely to its members.

H 737. CONSTITUTIONAL LIMITS (NEW). Intro. 3/27/03. Senate committee substitute makes the following changes to 3rd edition. Deletes previous bill and replaces it with act entitled *TO PROVIDE FOR CONSTITUTIONAL REQUIREMENTS FOR REPORTING AND REGULATION OF ELECTIONEERING COMMUNICATIONS, AS APPROVED BY THE UNITED STATES SUPREME COURT; TO ADOPT CONSTITUTIONAL LIMITS FOR CORPORATE EXPENDITURES ON MASS MAILINGS AND TELEPHONE BANKS; AND TO REPEAL A DUPLICATIVE REQUIREMENT FOR OUT-OF-STATE CONTRIBUTIONS.* Enacts Art. 22E of GS Ch. 163 regarding electioneering communications. Applies to broadcasts referring to a clearly identified candidate for statewide office or the General Assembly that is made sixty days prior to general or special election and thirty days prior to primaries. Requires entities making a disbursement for direct costs of producing and airing such electioneering communications in excess of $10,000 to file statement with State Board of Elections. Specifies the contents of these statements, including identification of entity making disbursement, identification of recipient of each disbursement over $1,000, and the identity of contributors of more than $1,000. Prohibits direct or indirect electioneering communications by any corporation, insurance company, labor union, or professional association (excepting 501(c)(4 and 527(e)(1) organizations). Makes violation a misdemeanor and provides for mandated disclosures and civil penalties. Enacts Art. 22F of GS Ch. 163 to establish similar program regulating mass mailings and telephone banks related to electioneering communications. Repeals provisions related to out-of-state contributions and makes other conforming amendments. Provisions in act are severable. Effective when becomes law, except criminal penalties effective Oct. 1, 2004.

H 1414. 2004 APPROPRIATIONS ACT. Intro. 5/12/04. Conference report recommends the following changes to 6th edition to reconcile matters in controversy. The third edition of this bill (House version of the 2004 budget) was summarized in the Daily Bulletin of 6/8/04. The sixth edition (Senate version) was summarized in the Daily Bulletin of 6/23/04.

CURRENT OPERATIONS AND EXPANSION/GENERAL FUND

Appropriations from the General Fund for the maintenance of state departments, institutions, and agencies, and for other purposes as enumerated are adjusted for the fiscal year ending June 30, 2005, according to the schedule that follows. Amounts set out in brackets are reductions from General Fund appropriations for the 2004-2005 fiscal year.

Current Operations – General Fund	**2004-2005**
EDUCATION	
Community Colleges System Office	31,612,319
Department of Public Instruction	122,269,724
University of North Carolina – Board of Governors	56,386,840
HEALTH AND HUMAN SERVICES	
Department of Health and Human Services	
Office of the Secretary	5,319,802
Division of Aging	3,151,000
Division of Blind Services/Deaf/HH	(30,000)
Division of Child Development	7,925,000
Division of Education Services	10,873
Division of Facility Services	(450,000)
Division of Medical Assistance	(88,729,913)
Division of Mental Health	(5,962,273)

NC Health Choice	6,600,000
Division of Public Health	8,226,581
Division of Social Services	(5,561,948)
Division of Vocational Rehabilitation Services	(1,479,294)
Total	(70,980,172)
NATURAL AND ECONOMIC RESOURCES	
Department of Agriculture and Consumer Services	100,538
Department of Commerce	
Commerce	(452,263)
Commerce State-Aid	1,950,000
NC Biotechnology Center	5,000,000
Rural Economic Development Center	1,144,000
Department of Environment and Natural Resources	
Environment and Natural Resources	1,021,957
Clean Water Management Trust Fund	0
Department of Labor	364,216
JUSTICE AND PUBLIC SAFETY	
Department of Correction	(11,309,897)
Department of Crime Control and Public Safety	3,912,627
Judicial Department	6,741,918
Judicial Department – Indigent Defense	11,000,000
Department of Justice	754,467
Department of Juvenile Justice and Delinquency Prevention	1,734,069
GENERAL GOVERNMENT	
Department of Administration	2,476,330
Office of Administrative Hearings	90,476
Department of State Auditor	(200,000)
Office of State Controller	(99,429)
Department of Cultural Resources	
Cultural Resources	14,944,032
Roanoke Island Commission	0
State Board of Elections	2,197,412
General Assembly	(921,318)
Office of the Governor	
Office of the Governor	42,702
Office of State Budget and Management	401,427
OSBM – Reserve for Special Appropriations	2,213,382
Housing Finance Agency	1,725,000
Department of Insurance	
Insurance	4,062,654
Insurance – Volunteer Safety Workers' Compensation	(1,734,000)
Office of Lieutenant Governor	29,657
Department of Revenue	(1,661,794)
Rules Review Commission	(3,185)
Department of Secretary of State	(110,389)
Department of State Treasurer	

State Treasurer	424,708
State Treasurer – Retirement for Fire and Rescue Squad Workers	665,000
TRANSPORTATION	
Department of Transportation	(228,056)
RESERVES, ADJUSTMENTS AND DEBT SERVICE	
Reserve for 2003 Compensation Increases	(900,000)
Reserve for 2004 Compensation Increases	260,800,000
Reserve for LEO Salary Adjustments	2,007,385
Reserve for State Health Plan	(900,000)
Reserve for Retiree Health Benefits	(6,900,000)
Reserve for Contributions to Benefit Plans	(6,230,100)
Reserve for Teachers' and State Employees' Retirement System	9,180,000
Reserve for Consolidated Judicial Retirement System	339,000
Job Development Incentive Grants (JDIG) Reserve	4,500,000
Mental Health, Developmental Disabilities and Substance Abuse Services Trust Fund	10,000,000
Reserve for Senate Bill 100 Compliance	(11,813,949)
Debt Service	
General Debt Service	(78,268,480)
Federal Reimbursement	460,432
TOTAL CURRENT OPERATIONS – GENERAL FUND	**367,839,240**

GENERAL FUND AVAILABILITY STATEMENT

Section 2.2.(a) of S.L. 2003-284 is repealed. The General Fund availability used in adjusting the 2004-2005 budget is shown below:

	2004-2005
Unappropriated Balance Remaining from FY 2003-04	145,664,254
Projected Reversions from FY 2003-2004	150,000,000
Projected Over Collections from FY 2003-2004	235,100,000
Additional FY 2003-2004 Appropriations (HB 1352)	(64,100,000)
Year-End Unreserved Credit Balance	**466,664,254**
Credit to Savings Reserve	(116,666,064)
Credit to Repairs and Renovations Reserve Account	(78,797,361)
Beginning Unreserved Credit Balance FY 2004-2005	**271,200,829**
Revenues Based on Existing Tax Structure	**14,755,690,500**
Nontax Revenues	
Investment Income	86,020,000
Judicial Fees	136,730,000
Disproportionate Share	100,000,000
Insurance	53,900,000
Other Nontax Revenues	261,517,607
Highway Trust Fund Transfer	242,586,830
Highway Fund Transfer	16,166,400
Subtotal Nontax Revenues	**896,920,837**
Total General Fund Availability	**15,923,812,166**

Adjustments to Availability: 2004 Session	
HB 1430 (Internal Revenue Code Conformity) Conference Report	(2,600,000)
HB 1303 (Reduce Privilege and Excise Taxes) Conference Report	(2,950,000)
Sales Tax Refunds and Exemptions	(5,200,000)
Research and Development Tax Credit	(4,500,000)
Qualified Business Investment Tax Credit	0
Tobacco Payments Decline – Tobacco Trust Fund	(5,000,000)
Transfer from Fire Safety Loan Fund	250,000
Transfer from Veteran's Home Trust Fund	500,000
Transfer from Office of State Controller, Budget Code 24160	2,180,000
HB 1264 (Finance Vital Projects)	
Conference Report, Reimburse Debt Service	5,380,000
Adjust Transfer from Insurance Regulatory Fund	4,062,654
Adjust Transfer from Treasurer's Office	424,708
Subtotal Adjustments to Availability: 2004 Session	**(7,452,638)**
Revised General Fund Availability for 2004-2005 Fiscal Year	**15,916,359,528**
Less: Total General Fund Appropriations for 2004-2005 Fiscal Year	**(15,916,359,528)**
Unappropriated Balance Remaining	**0**

Notwithstanding GS 143-16.4(a2), of the funds credited to the Tobacco Trust Account from the Master Settlement Agreement pursuant to Section 6(2) of S.L. 1999-2 during the 2004-2005 fiscal year, the sum of thirty-five million dollars ($35,000,000) shall be transferred from the Department of Agriculture and Consumer Services, Budget Code 23703 (Tobacco Trust Fund), to the State Controller to be deposited in Nontax Budget Code 19978 (Intra State Transfers) to support General Fund appropriations for the 2004-2005 fiscal year.

Notwithstanding GS 143-16.4(a1), of the funds credited to the Health Trust Account from the Master Settlement Agreement pursuant to Section 6(2) of S.L. 1999-2 during the 2003-2004 fiscal year, the sum of twenty million dollars ($20,000,000) that would otherwise be deposited in the Fund Reserve established by G.S. 147-86.30(c) and five million ($5,000,000) of the funds that are not reserved pursuant to GS 147-86.30(c) shall be transferred from the Department of State Treasurer, Budget Code 23460 (Health and Wellness Trust Fund), to the State Controller to be deposited in Nontax Budget Code 19978 (Intra State Transfers) to support General Fund appropriations for the 2003-2004 fiscal year.

Notwithstanding GS 143-16.4(a1) and GS 147-86.30, of the funds credited to the Health Trust Account from the Master Settlement Agreement pursuant to Section 6(2) of S.L. 1999-2 during the 2004-2005 fiscal year, the sum of twenty-five million dollars ($25,000,000) shall be transferred from the Department of State Treasurer, Budget Code 23460 (Health and Wellness Trust Fund), to the State Controller to be deposited in Nontax Budget Code 19978 (Intra State Transfers) to support General Fund appropriations for the 2004-2005 fiscal year. Any funds remaining after the transfer to the General Fund shall be used in accordance with GS 147-86.30.

Notwithstanding G.S. 143-15.2 and GS 143-15.3A, the State Controller shall transfer seventy-eight million seven hundred ninety-seven thousand three hundred sixty-one dollars ($78,797,361) from the unreserved credit balance to the Repairs and Renovations Reserve Account on June 30, 2004. This subsection becomes effective June 30, 2004.

Funds transferred under this section to the Repairs and Renovations Reserve Account are appropriated for the 2004-2005 fiscal year to be used in accordance with GS 143-15.3A.

Section 6.23(a1) of S.L. 2003-284, as enacted by Section 2 of S.L. 2003-283, is repealed.

Notwithstanding GS 165-48, five hundred thousand dollars ($500,000) of the cash balance remaining in the NC Veterans Home Trust Fund (Budget Code 64106, Fund 6771) on July 1, 2004, shall be transferred to the State Controller to be deposited in Nontax Budget Code 19978 (Intra State Transfers). These funds shall be used to support the General Fund appropriation for the 2004-2005 fiscal year for the start-up cost of the State Veterans Nursing Home in Salisbury.

Notwithstanding GS 116-44.8, two hundred fifty thousand dollars ($250,000) of the cash balance remaining in the Fire Safety Loan Fund (Budget Code 63414, Fund 6510) on July 1, 2004, shall be transferred to the State

Controller to be deposited in Nontax Budget Code 19978 (Intra State Transfers). These funds shall be used to support General Fund appropriations for the 2004-2005 fiscal year.

On June 30, 2004, the Office of Information and Technology shall transfer two million one hundred eighty thousand dollars ($2,180,000) from the Information Technology service Budget Code 74660 to the Office of State Controller's Budget Code 24160. On July 1, 2004, the State Controller shall transfer two million one hundred eighty thousand dollars ($2,180,000) from Budget Code 24160, to Nontax Budget Code 19978 (Intra State Transfers) to support General Fund appropriations for information technology programs and activities across state government for the 2004-2005 fiscal year. This subsection becomes effective June 30, 2004.

CURRENT OPERATIONS AND EXPANSION/HIGHWAY FUND

Appropriations from the Highway Fund for the maintenance and operation of the Department of Transportation, and for other purposes as enumerated, are made for the fiscal year ending June 30, 2005, according to the schedule that follows. Amounts set out in brackets are reductions from Highway Fund appropriations for the 2004-2005 fiscal year.

Current Operations – Highway Fund	**2004-2005**
Transportation Administration	$ 1,227,072
Operations –	
Match for Federal Aid	–
Construction Program:	
State Secondary System	410,000
Small Construction	7,000,000
Contingency Funds	5,000,000
Spot Safety Improvements	–
Access and Public Service Roads	–
Maintenance	24,672,591
Capital Improvements	–
Ferry Operations	1,000,000
State Aid to Municipalities	410,000
State Aid to Railroads	–
State Aid for Public Transportation	(436,479)
Asphalt Plant Cleanup	–
Governor's Highway Safety Program	–
Division of Motor Vehicles	1,218,921
Appropriations to Other State Agencies	1,030,489
Reserves and Transfers	17,842,991
Total	**$59,375,585**

HIGHWAY FUND AVAILABILITY STATEMENT

The Highway Fund appropriations availability used in developing modifications to the 2004-2005 Highway Fund budget contained in this act is shown below.

Highway Fund Budget Reform Statement	**2004-2005**
Beginning Credit Balance	–
Estimated Revenue	$ 1,390,900,000
Estimated Reversions	–
Total Highway Fund Availability	**$ 1,390,900,000**

HIGHWAY TRUST FUND APPROPRIATIONS

Appropriations from the Highway Trust Fund for the maintenance and operation of the Department of Transportation, and for other purposes as enumerated, are made for the fiscal year ending June 30, 2005, according to the schedule that follows. Amounts set out in brackets are reductions from Highway Trust Fund appropriations for the 2004-2005 fiscal year.

Current Operations – Highway Trust Fund	2004-2005
Intrastate System	(7,488,716)
Urban Loops	(3,028,125)
Aid to Municipalities	(785,741)
Secondary Roads	236,830
Administrative Expense	(439,735)
Transfer to General Fund	66,513
GRAND TOTAL CURRENT OPERATIONS AND EXPANSION	**(11,572,000)**

BLOCK GRANTS

DHHS BLOCK GRANTS

Appropriations from federal block grant funds are made for the fiscal year ending June 30, 2005, according to the following schedule:

COMMUNITY SERVICES BLOCK GRANT

01.	Community Action Agencies	$ 15,266,973
02.	Limited Purpose Agencies	848,165
03.	NC Interagency Council for Homeless Programs	262,472
04.	Department of Health and Human Services to administer and monitor the activities of the Community Services Block Grant	848,165
TOTAL COMMUNITY SERVICES BLOCK GRANT		$ 17,225,775

SOCIAL SERVICES BLOCK GRANT

01.	County departments of social services (Transfer from TANF – $4,500,000)	$ 28,868,189
02.	Allocation for in-home services provided by county departments of social services	2,101,113
03.	Division of Services for the Blind	3,105,711
04.	Division of Facility Services	426,836
05.	Division of Aging – Home and Community Care Block Grant	1,840,234
06.	Child Care Subsidies	6,269,309
07.	Division of Vocational Rehabilitation – United Cerebral Palsy	71,484
08.	State administration	1,693,368
09.	Child Medical Evaluation Program	238,321
10.	Adult day care services	2,155,301
11.	Comprehensive Treatment Services Program	422,003
12.	Department of Administration for the N.C. State Commission of Indian Affairs In-Home Services Program for the Elderly	203,198
13.	Division of Vocational Rehabilitation Services – Easter Seals Society	116,779

14.	UNC-CH CARES Program for training and consultation services	247,920
15.	Office of the Secretary – Office of Economic Opportunity for N.C. Senior Citizens' Federation for outreach services to low-income elderly persons	41,302
16.	Division of Social Services – Child Caring Agencies	1,500,000
17.	Division of Mental Health, Developmental Disabilities, and Substance Abuse Services – Developmentally Disabled Waiting List for services	5,000,000
18.	Transfer to Preventive Health Services Block Grant for HIV/AIDS education, counseling, and testing	145,819
19.	Division of Facility Services – Mental Health Licensure	213,128
20.	Division of Mental Health, Developmental Disabilities, and Substance Abuse Services	3,234,601
TOTAL SOCIAL SERVICES BLOCK GRANT		$ 57,894,616
LOW-INCOME ENERGY BLOCK GRANT		
01.	Energy Assistance Programs	$ 12,775,323
02.	Crisis Intervention	9,192,927
03.	Administration	2,957,339
04.	Weatherization Program	4,212,740
05.	Department of Administration – N.C. State Commission of Indian Affairs	54,840
06.	Heating Air Repair and Replacement Program	1,966,153
TOTAL LOW-INCOME ENERGY BLOCK GRANT		$ 31,159,322
MENTAL HEALTH SERVICES BLOCK GRANT		
01.	Provision of community-based services for severe and persistently mentally ill adults	$ 6,307,035
02.	Provision of community-based services to children	3,921,991
03.	Comprehensive Treatment Services Program for Children	1,500,000
04.	Administration	568,911
TOTAL MENTAL HEALTH SERVICES BLOCK GRANT		$ 12,297,937

SUBSTANCE ABUSE PREVENTION AND TREATMENT BLOCK GRANT		
01.	Provision of community-based alcohol and drug abuse services, tuberculosis services, and services provided by the Alcohol and Drug Abuse Treatment Centers	$ 20,441,082
02.	Continuation of services for pregnant women and women with dependent children	8,069,524
03.	Continuation of services to IV drug abusers and others at risk for HIV diseases	4,816,378
04.	Child Substance Abuse Prevention	5,835,701
05.	Provision of services to children and adolescents	4,940,500
06.	Juvenile Services – Family Focus	851,156
07.	Allocation to the Division of Public Health for HIV/STD Risk Reduction Projects	383,980
08.	Allocation to the Division of Public Health for HIV/STD Prevention by County Health Departments	209,576
09.	Allocation to the Division of Public Health for the Maternal and Child Health Hotline	37,779
10.	Administration	2,596,307
TOTAL SUBSTANCE ABUSE PREVENTION AND TREATMENT BLOCK GRANT		$ 48,181,983
CHILD CARE AND DEVELOPMENT FUND BLOCK GRANT		
01.	Child care subsidies	$158,518,189
02.	Quality and availability initiatives	17,946,038
03.	Administrative expenses	7,163,654
04.	Transfer from TANF Block Grant for child care subsidies	81,292,880
TOTAL CHILD CARE AND DEVELOPMENT FUND BLOCK GRANT		$264,920,761
TEMPORARY ASSISTANCE TO NEEDY FAMILIES (TANF) BLOCK GRANT		
01.	Work First Cash Assistance	$119,841,508
02.	Work First County Block Grants	94,653,315
03.	Transfer to the Child Care and Development Fund Block Grant for child care subsidies	81,292,880
04.	Child Care Subsidies for TANF Recipients	34,512,238
05.	Child Welfare Workers for local DSS	12,452,391
06.	Transfer to Social Services Block Grant for County Departments of Social Services for Children's Services	4,500,000

07.	Support Our Students – Department of Juvenile Justice and Delinquency Prevention	2,749,642
08.	Domestic Violence Services for Work First Families	1,200,000
09.	After-School Services for At-Risk Children YWCA Central Carolinas Youth Development Programs $176,000	2,249,642
10.	Division of Social Services – Administration	400,000
11.	Child Welfare Training	2,550,000
12.	TANF Automation Projects	592,500
13.	Boys and Girls Clubs	1,000,000
14.	Work Central Career Advancement Center	550,000
15.	WCH-Teen Pregnancy Prevention	1,500,000
16.	Transfer to Social Services Block Grant for Child Caring Institutions	1,500,000
17.	Special Children's Adoption Fund	3,000,000
18.	NC Fast Implementation	2,717,298
19.	Maternity Homes	838,000
20.	Individual Development Accounts	180,000
21.	Reduction of Out-of-Wedlock Births	1,000,000
22.	After-School Programs for At-Risk Youth in Middle Schools	500,000
TOTAL TEMPORARY ASSISTANCE TO NEEDY FAMILIES (TANF) BLOCK GRANT		$369,779,414
MATERNAL AND CHILD HEALTH BLOCK GRANT		
01.	Healthy Mothers/Healthy Children Block Grants to Local Health Departments	9,565,205
02.	High-Risk Maternity Clinic Services, Perinatal Education and Training, Childhood Injury Prevention, Public Information and Education, and Technical Assistance to Local Health Departments, Office of Women's Health	2,207,273
03.	Adolescent Pregnancy Prevention Coalition of NC	150,000
04.	Office of Minority Health	159,000
05.	Services to Children With Special Health Care Needs	4,280,987
06.	School Health Nurse Initiative	3,250,000
	School Health Nurse Initiative Reserve 2005-2006	3,250,000
07.	Administration and Program Support	2,434,303
TOTAL MATERNAL AND CHILD HEALTH BLOCK GRANT		$ 25,296,768
PREVENTIVE HEALTH SERVICES BLOCK GRANT		
01.	Statewide Health Promotion Programs	$2,772,294
02.	Rape Crisis/Victims' Services Program – Council for Women	197,112
03.	Transfer from Social Services	

	Block Grant – HIV/AIDS education, counseling, and testing	145,819
04.	Administration and Program Support	699,092
05.	Osteoporosis Task Force Operating Costs	150,000
TOTAL PREVENTIVE HEALTH SERVICES BLOCK GRANT		$3,964,317

NER BLOCK GRANTS

COMMUNITY DEVELOPMENT BLOCK GRANT		
01.	State Administration	$ 1,000,000
02.	Urgent Needs and Contingency	50,000
03.	Scattered Site Housing	13,200,000
04.	Economic Development	10,960,000
05.	Community Revitalization	12,200,000
06.	State Technical Assistance	450,000
07.	Housing Development	2,000,000
08.	Infrastructure	5,140,000
TOTAL COMMUNITY DEVELOPMENT BLOCK GRANT – 2005 Program Year		$ 45,000,000

General Provisions

Preference given to American made products. Not in controversy.

Extend local government hold harmless. Not in controversy.

Legislative Commission on State Property/State Property Office duties. Substantially adopts House provision, but creates 16-, rather than 15-, member Comm'n, and places the Comm'n in the Dep't of Administration. Deletes proposed new GS 146-29.1 concerning compensation of licensed realtor.

Change effective date-private plates on public vehicles. Adopts House provision.

Escheat Fund repayment. Deleted

Modify Global Transpark debt. Deleted

JDIG appropriation structure. Adopts Senate provision but deletes proposed new GS 143B-437.63(b) and(c), which dealt with Budget Director's authority to transfer available funds to program as needed and reversion of unspent funds to General Fund.

Dep't of Transportation to erect informational signs for historic district in the City of Kings Mountain. Deleted.

No elected state officials in public service announcements paid for by state funds, federal funds, or funds received from settlement of litigation. Deleted.

Proceeds from sale of surplus property credited to the Repairs and Renovations Reserve Account. Deleted.

Study budgeting of occupational licensing boards. Deleted.

Revise report of budget director. Adopts Senate provision.

Special funds, federal receipts, appropriations. Adopts Senate provision.

Transfers between line items. Deleted.

Contingency and Emergency Fund allocations. Adopts Senate provision.

Authorization to establish receipt-supported positions. Substantially adopts Senate provison.

Reporting of non-state entities. Adopts Senate provision.

Establish North Carolina economic infrastructure program. Deleted.

Authorize acquisition of options for site development and authorize consultant contracts for recruitment. Adopts Senate provision.

Appropriation for One North Carolina Fund and the New and Expanding Industry Training Program. Deleted.

William Friday Institute for Higher Education Leadership. Adopts Senate provision.

Limit use of impervious parking surfaces for sale of nursery stock. Adopts Senate provision but increases number of square feet for parking from 200 to 400 and provides exemptions for merchants who collect and treat stormwater, collect stormwater for reuse, or collect and discharge stormwater to a treatment system.

Town of Cornelius median cuts. Deleted.

Funds for farmland preservation projects Adopts Senate provision.

Expansion of the SBI crime lab. Directs that up to $4,500,000 of unspent and unencumbered capital projects funds shall be used to expand the SBI crime laboratory in Raleigh.

Public Schools

Teacher salary schedules. Adopts monthly salary schedule for teachers ranging from $2,542 for "A" teachers without any years of experience to $5,628 for NBPTS-certified teachers with 30+ years of experience.

School-based administrator salary schedule. Adopts monthly salary schedule for principal and assistant principals ranging from $3,248 for assistant principals with 0-4 years of experience to $7,542 for Principal VII (supervising 100+ State paid-teachers and assistant principals) with 41 years of experience.

Central office salaries. Adopts monthly salary ranges for assistant superintendents, associate superintendents, directors/coordinators, supervisors, and finance officers.

School Administrator I	$2,932 to $5,398
School Administrator II	$3,112 to $5,726
School Administrator III	$3,303 to $6,073
School Administrator IV	$3,436 to $6,316
School Administrator V	$3,574 to $6,570
School Administrator VI	$3,792 to $6,969
School Administrator VII	$3,945 to $7,249

Adopts monthly salary ranges for school superintendents.

Superintendent I	$4,187 to $7,691
Superintendent II	$4,445 to $8,155
Superintendent III	$4,716 to $8,652
Superintendent IV	$5,005 to $9,177
Superintendent V	$5,312 to $9,736

Noncertified personnel salary. Raises annual salary for permanent, full-time noncertified public school employee supported from the General Fund by the greater of $1,000 or 2.5%.

Appropriations for continually low-performing schools. Adopts Senate provision.

Children with disabilities. Not in controversy.

Funds for academically gifted children. Not in controversy.

Disadvantaged student supplemental funding. Deletes Senate provision.

LEA assistance program. Adopts Senate provision.

Local education agency flexibility. Not in controversy.

Small school system supplemental funding. Adopts Senate provision with the following changes. Increases base consolidated funds allotment from at least $684,518 to at least $740,074 for 2004-2005.

Replacement school buses funds. Not in controversy.

K-2 assessment. Adopts Senate provision.

Evaluate validity of ABC accountability system. Not in controversy. Adds provision that, to the extent the historical trend data suggest that current standards for student performance may not be appropriate, State Board must adjust standards to assure that they continue to reflect state's high expectations for student performance.

Funds to implement the ABCs of public education. Adopts Senate provision.

Discontinue ineffective program. Not in controversy.

Restore vocational education funding. Not in controversy.

Expedited allotments from the ADM Contingency Reserve. Deleted.

Healthful school food choices/pilot program. Adopts House provision.

Visiting international faculty. Not in controversy.

State Board of Education authority to set certification standards for teachers. Adopts House provision.

Study strategies for facilitating student participation in teacher preparation programs. Adds new provision directing Joint Legislative Education Oversight Committee to study strategies for facilitating student participation in teacher preparation programs. Requires recommendation to 2005 General Assembly by Jan. 15, 2005.

Maintain 12-month vocational agriculture teacher positions. Adopts House provision.

Accountability assessment for agricultural education. Adopts Senate provision.

Additional teacher positions for third grade. Adopts House provision.

High school workforce development program. Not in controversy.

Funds for the Education of Students at Eckerd Youth Camp. Adopts Senate provision with the following changes. Provides that if child in therapeutic camp is a child with special needs, payment to camp will be the state per pupil allocation for children with special needs. Requires Dep't of Public Instruction to reduce allotment to school unit in which child resides by appropriate amount and remit funds to Eckerd Youth Alternatives.

Funds for the testing and implementation of the new student information system. Adopts Senate provision.

Experience step increase for teachers and principals in public schools. Adopts House provision.

Charter school facility funds. Adopts House provision with the following changes. Deletes amendment to GS 153A-451 and adopts provision applying only to Mount Airy City School Administrative Unit and Surry County. Requires charter school, before July 1, 2005, to adopt a resolution requesting funds for construction of school facilities and present resolution to local board of education. Provides that if the local board approves request, charter school's request must be submitted to board of county commissioners along with school board's budget request. Allows county to approve charter school's request under specified conditions.

New school bus equipment requirements. Deletes House provision.

Implementation of Alternative Competency Tests. Adopts Senate provision.

Teachers for geographically isolated schools. Adopts Senate provision with the following changes. Requires State Board to modify its policy on allotment of additional classroom teachers to small schools when consolidation is not feasible due to geographic isolation. Raises average daily membership for schools to qualify under provision from 100 to 110.

Enhance nutrition in school food program. Adopts Senate provision with the following changes. Provides that schools may not sell processed foods containing trans-fatty acids that were formed during the commercial processing of the foods in addition to not using cooking oils that contain trans-fatty acids in school lunch programs. Changes effective date from Jan. 1, 2005, to Aug. 1, 2005.

Encourage LEAS to apply for E-rate reimbursements. Adopts Senate provision.

Study the efficacy of providing for staff development through regional education service alliances. Adopts Senate provision.

Local school construction financing study. Adopts Senate provision.

Children's Trust Fund. Adopts Senate provision.

Community Colleges

Use of funds for the college information system project. Adopts Senate provision.

Carryforward for equipment. Not in controversy.

Salaries of community college faculty and professional staff. Adopts Senate provision.

Modify reporting requirement for new and expanding industry training program. Not in controversy.

New and expanding industries training program funds. Not in controversy.

NCCATT to operate as the North Carolina Center for Applied Textile Technology at Gaston College. Deleted.

Center for Applied Textile Technology/modify board. Adopts Senate provision.

Study of the North Carolina Center for Applied Textile Technology. Adopts Senate provision with the following changes. Deletes requirement that study results be reported no later than Nov. 30, 2004. Now requires State Board of Community Colleges to implement study results by Jan. 1, 2005.

Funds for the Bureau of Training Initiatives. Not in controversy.

Funds for the comprehensive articulation agreement study. Not in controversy.

Report on adequacy of multicampus funds. Adopts Senate provision with the following changes. Reduces the amount State Board of Community Colleges must use to assist State Board approved centers with less that 50 FTE from $20,000 to $10,000.

Community college funding flexibility. Deleted.

Middle college start-up funds. Not in controversy.

Matching funds for career start project. Not in controversy.

Study of FTE funding formula. Not in controversy.

Funds for significant FTE increases. Deletes House provision, but adopts substantially similar Senate provision (*Contingency reserves*).

Contingency reserve for colleges experiencing high rates of unemployment. Deletes House provision, but adopts similar Senate provision (*Contingency reserves*), which directs the State Board to use the enrollment increase contingency reserve fund to provide grants to community colleges in areas with high unemployment due to manufacturing job losses (House version would have created separate contingency reserve fund for that purpose).

Contingency reserves. Adopts Senate provision.

State Board reserve allocation for maintenance of plant. Adopts Senate provision.

Statewide military business center and homeland security business incubator. Adopts Senate provision with the following change. Adds provision requiring Fayetteville Technical Community College to report to the Jt. Legis. Oversight Comm. on expenditures of funds.

Nursing scholarships for worthy and needy students. Deletes Senate provision.

Universities

UNC flexibility guidelines. Not in controversy.

Need-based financial aid from escheat funds. Adopts House provision with the following changes in amounts appropriated from the Escheat Fund to the UNC Board of Governors for allocation by the State Educational Assistance Authority. Appropriates $28.61 million to be used for need-based student-financial aid (was $21.34 million in House, $41.34 million in Senate). Appropriates $390,000 to provide scholarship loans to NC high school seniors interested in teaching in NC public schools who enroll at any of the historically black colleges and universities that do not have Teaching Fellows (was $195,000 in House, $390,000 in Senate).

Area Health Education Center (AHEC) Funds. Adopts House provision.

UNC bond project modifications. Not in controversy.

Fayetteville State University and North Carolina School of the Arts retain real property proceeds. Not in controversy.

North Carolina School of Science and Math carryover/onetime expenditures. Adopts House provision.

Evaluate science & math school tuition grants. Adopts Senate provision.

UNC-Chapel Hill continue to operate Horace Williams Airport. Adopts Senate provision with the following change. Directs the Dep'ts of Administration and Transportation to assistant the University in securing a replacement facility.

UNC personnel mediation/inadmissibility in litigation and clarification regarding the practice of law. Deletes Senate provision.

Teaching scholarships for worthy and needy students. Deletes Senate provision.

North Carolina School of the Arts exempt from the Umstead Act. Adopts Senate provision with the following change. Senate provision exempted from the Act agreements regarding the use of facilities for the creation of commercial materials and productions. Adds agreements regarding the use of equipment and services of students, faculty, and staff for the creation of commercial materials and productions.

Restore bond funds used for mold remediation. Adopts House provision with the following addition. Requires the Board of Governors to repay the Reserve for Repairs and Renovations from the proceeds of any recovery resulting from litigation, a legal settlement, or an insurance settlement.

University system and community college system study. Directs the Board of Governors to use up to $2 million of the funds appropriated to it for 2004-05 for the comprehensive study of the mission and educational program needs for the University System and the Community College System provided for in House Bill 1264, if it becomes law.

Department of Health and Human Services

Centralize criminal record check functions. Not in controversy.

Study issues related to mentally ill residents of long-term care facilities. Adopts Senate provision.

Transfer of funds in Camp Butner Water and Sewer Utility Enterprise Fund for purchase of fire truck. Deletes Senate provision.

Automatic enrollment Medicare Prescription Drug Discount Card. Adopts Senate provision.

Consolidation of management of IT operations, services, and functions within DHHS. Adopts Senate provision.

DHHS payroll deduction for child care services. Adopts Senate provision.

Regulation of physician assistants receiving, prescribing, or dispensing free prescription drugs. Adopts Senate provision with the following change. Makes new GS 90-18.2A applicable to physicians assistants only (was, physician assistants and nurse practitioners).

No state funds for rebirthing technique performed in another state. Adopts Senate provision.

Community health grant funds. Adopts House provision with the following changes. Decreases from $3 million to $2 million the amount to be used for state-designated rural health centers and public health departments. Deletes provision requiring the funds to be allocated from institutional receipts in the Division of Mental Health, Developmental Disabilities, and Substance Abuse Services.

Medicaid. Adopts Senate provision with the following change. Requires providers seeking reimbursement for medically necessary prosthetics or orthotics to be Board-certified by July 1, 2005.

Medicaid reserve fund transfer. Adopts House provision with the following change. Allocates $86.95 million for Medicaid programs in 2004-05 (was $79.20 million in House, $84.20 million in Senate).

Transfer of property to qualify for Medicaid/technical correction. Not in controversy.

Medicaid assessment program for ICF/MR facilities. Adopts Senate provision.

Community Alternatives Programs. Adopts House provision.

Disease management pilot programs. Deletes House provision.

Pilot program to test new approaches to managing access to and utilization of health care services to Medicaid recipients. Not in controversy.

PACE pilot program funds. Adopts House provision.

DHHS study Medicaid institutional bias. Adopts House provision.

NC Health Choice eligibility; premium contribution. Deletes House provision.

NC Health Choice administration and claims processing. Deletes House provision.

NC Health Choice enrollment management. Deletes House provision.

Foster care and adoption assistance payments. Adopts House provision increasing monthly per-child maximum rates in the foster care and adoption assistance programs, but adopts lower rates than those proposed by House, as follows

For children birth through age 5, $390 per month (was $415 in House budget)

For children age 6 through 12, $440 per month (was $465 in House budget)

For children age 13 through 18, $490 per month (was $515 in House budget).

Adopts House provisions regarding board payments to foster and adoptive families of HIV-infected children.

Special Children Adoption Fund. Not in controversy.

Funds for child protective services staff. Adopts Senate provision.

TANF Benefit Implementation. Adopts Senate provision.

IV-E Child Caring Institutions. Adopts Senate provision.

Adult Care Home Criminal Record Check Pilot. Deletes Senate provision.

Long-term care facility criminal record checks. New provision requires Dep't of Justice to return the results of national criminal history record checks for employment in a nursing home, home care agency, adult care home, or mental health, development disabilities and substance abuse authority to the Dep't of Health and Human Services. Dep't of Health and Human Services must provide the results to the employing entity within five business days of receipt. Allocates $200,000 to the Dep't of Health and Human Services to carry out these duties, $250,000 to the Dep't of Justice to upgrade its billing system, and $34,000 to the Dep't of Justice for additional office space. Allocations effective July 1, 2004; remainder effective January 1, 2005.

Child welfare system reform. Deletes House provision.

Adult day services training and reimbursement methodology. Substantially adopts House provision.

State/county special assistance. Adopts Senate provision with the following change. Increases the maximum monthly rate for residents in adult care home facilities to $1,084 per month per resident (was $1,081).

Administration of reduction in funds to area authorities. Adopts House provision with the following changes. Deletes provision transferring $5 million from institutional receipts in the Division of Mental Health, Developmental Disabilities, and Substance Abuse Services to the Division of Social Services. Makes conforming change.

DHHS policies and procedures in at risk children's program and multiply diagnosed adults program. Adopts Senate provision with the following change. Provides that one-half of excess funds will not revert to the General Fund (was, all excess funds).

Funds for PATH Program residence purchase. Adopts House provision.

Use of mental health trust fund monies for capital improvements and expansions at ADACT Centers. Adopts House provision.

Study financing of mental health, developmental disabilities, and substance abuse services. Deletes House provision.

Area program and county program transition flexibility. Not in controversy.

Dorothea Dix master plan. Adopts Senate provision with the following changes. Deletes provision requiring City of Raleigh to share the cost of the planning process. Makes conforming changes.

DHHS Central Office Contracts Reduction. Adopts Senate provision.

Mental health treatment courts. Adopts House provision.

Public Health Task Force reporting requirement. Deletes House provision.

Public Health Improvements. Adopts Senate provision.

Pilot process for local health departments. Adopts Senate provision.

Early Intervention reporting requirement. Not in controversy.

AIDS drug assistance program. Not in controversy.

Maximize ADAP program funding. Adopts Senate provision.

North Carolina Public Health Department incubators. Substantially adopts House provision but decreases allocation to the NC Institute for Public Health to $1.125 million (was, $2.25 million).

Funds for school nurses. Adopts Senate provision with the following change. Adopts House's criteria to be considered in determining which communities receive funds to hire school nurses.

Hospital emergency department data reporting. Not in controversy.

Authorize Child Care Commission to adopt rules for child care facilities for medically fragile children. Not in controversy.

Criminal history record checks for local child care centers. Not in controversy.

Increase North Carolina Partnership for Children Board membership. Not in controversy.

Study Smart Start Funding. Deletes Senate provision.

More at Four Program. Adopts House provision with the following changes. Provides that up to 20% of children enrolled may have family incomes in excess of 75% of the median income if they have other designated risk factors. Provides that "More at Four" funding shall not supplant any funding for classrooms serving 4-year-olds as of the 2003-04 fiscal year.

AGAPE of NC, Inc. on list of agencies eligible to receive funding from State Funds Program. Adopts Senate provision.

Child care allocation formula. Provides that funds appropriated to the Dep't in 2004-05 for subsidized child care services may be allocated to prevent termination of services, notwithstanding the allocation formula established in the 2003 Budget Act.

Department of Agriculture and Consumer Services

Sale of Umstead Farm dairy herd and use of proceeds. Not in controversy.

Study funding for DACS research stations. Not in controversy.

Provide critical support for NC Dairy Farmers. Deleted.

Department of Labor

Department of Labor/Apprenticeship Program. Adopts Senate provision.

Department of Environment and Natural Resources

Grassroots Science Program. Makes small changes in Senate version, with total appropriation of $3,097,762.

No new funds for statewide beaver damage control program. Deleted.

Twenty-four hour access to Fort Fisher State Recreation Area/funds for department activities at Fort Fisher. Substantially adopts House provision, but allows access only for period from Sept. 15 to March 15.

Accounting for Wildlife Resources Commission revenue. Directs State Budget Director and Controller to review accounts of Comm'n and make recommendations to Fiscal Research Div. by April 1, 2005, of any changes needed.

Wildlife Resources Commission not subject to service charge for sale of surplus property/recyclable material. Adopts Senate provision.

Cost share funds for limited resource/new farmers clarification. Substantially adopts House provision.

Authorize the use of available funds for purchase of Bertie County Forestry Headquarters building/construction of McDowell County Forestry Headquarters building. Not in controversy.

Partnership for the Sounds Funds. Adopts Senate provision but directs that 50% of funds remaining shall provide a budget reduction for DENR.

Under Dock Oyster Culture Program. Adopts Senate provision.

Animal water management systems technical specialists not required to be professional engineers. Modifies Senate provision to state that before July 1, 2006, the requirements and qualifications for animal waste management systems technical specialists shall not be changed and the scope of the work that animal waste management systems technical specialists are authorized to perform shall not be decreased.

State match for federal safe drinking water act funds and for federal water quality act funds. Adopts Senate provision.

Expand Express Review Pilot Program. Adopts Senate provision.

Leaking Petroleum Underground Storage Tank Cleanup Fund solvency. Transferred to DOT section.

Onetime grant to Swain County. Adopts House provision but deletes subsection (b), which made an additional grant of $40,264.

Expand one-stop permit assistance program statewide. Adopts House provision.

Prohibit certain grants from the Clean Water Management Trust Fund. Deleted.

Monitoring and emergency cleanup funds for TEXFI site contamination. Adopts House provision.

Transfer six vacant positions within the Department of Environment and Natural Resources to Museum of Natural Sciences. As title indicates.

Modify appropriation to Saltwater Fishing Fund. Repeals sec. 13 of H 831, if that bill becomes law. Also, if H 831 becomes law, authorizes Div. of Marine Fisheries to use up to $450,000 of DENR appropriated funds to implement law; and Board of Trustees of NC Saltwater Fishing Fund may use up to $300,000 to implement law.

Museum of Natural Sciences Funds. If DENR receives non-state matching funds on a dollar-for-dollar basis, Dep't may use up to $500,000 during 2004-05 to conduct a feasibility study and develop a schematic site plan for expansion of the Museum of Natural Sciences and for the expansion of office space.

Department of Commerce

Council of Government Funds. Not in controversy.

One North Carolina Fund. Deleted.

Tourism promotion funds. Deletes House provision and directs Dep't of Commerce to study methods for ranking counties in an effort to direct tourism promotion funds to counties most in need.

One NC Funds to retain traditional industries. Deleted.

Industrial Development Fund. Directs reduction of $2,11,667.

Regional Partnerships Vision Plans. Not in controversy.

Regional Economic Development Commission allocations. Not in controversy.

Rural Economic Development Center. Adopts Senate provision but reduces amount to be allocated to e-NC Authority from $2 million to $1 million.

Opportunities Industrialization Center Funds. Not in controversy.

Wanchese Seafood Industrial Park. Adopts Senate provision and adds section directing the Office of State Budget and Management to reduce the carry forward for Wanchese Seafood Industrial Park by $300,00.

Trade Jobs for Success. Adopts Senate provision.

Omnibus Changes to Employment Security Laws/Funds to Support Local ESC Offices. Adopts Senate provision.

Transfer Business License Information Office functions and duties to the Department of Commerce. Adopts Senate provision.

Judicial Department

Increase maximum magistrate authorizations/study magistrate funding. Adopts House provision but deletes increases for Durham and Macon and adds increase of 1 for Forsyth.

Collection of Worthless Check Funds. Not in controversy.

Office of Indigent Defense Services/expansion funds/juvenile defender. Adopts House provision but changes appropriation for creation of Office of the Juvenile Defender to $177,500.

Establish a public defender's office in the first and tenth defender districts. Adopts Senate provision but delays creation of 10th district office until July 1, 2005.

Pilot program for provision of courtroom testimony of lab analysts by video conference/direct judicial department to study feasibility of a statewide program for providing testimony in that manner. Adopts Senate provision.

Domestic violence reserves. Deleted.

Mediation Funding Study. Adopts Senate provision.

Plan to Continue Drug Court Services. Adopts Senate provision.

Additional superior court judges, district court judges, and assistant district attorneys to enhance enforcement of domestic violence laws, prosecution of methamphetamine cases, and enforcement of other recent changes in criminal penalties. Enacts new GS 7A-45.1(a6), effective Dec. 1, 2004, to authorize the Governor to appoint a special superior court judge for a 5-year term. Adds 1 additional resident superior court judge in Judicial Districts 3B and 15B and 1 additional district court judge in districts 5, 17B, 21, and 29. Adds 1 assistant district attorney in each of the following districts: 1, 2, 7, 9, 10, 13, 16B, 18, 25, 26, 27B, 28, and 30. Adds 1 additional investigatorial assistant in district 16A.

Department of Justice

Study cost of the DCI-PIN system. Not in controversy.

Reduce backlog of rape kits. Adopts Senate provision.

Department of Juvenile Justice and Delinquency Prevention

State funds may be used as federal grant matching funds. Not in controversy.

Operation of Buncombe Youth Detention Center. Adopts House provision.

Planning for new youth development centers. Substantially adopts Senate provision.

Youth development center staffing. Adopts Senate provision.

Juvenile recidivism. Not in controversy.

Electronic monitoring of juveniles. Not in controversy.

Alternatives to juvenile commitment/juvenile crime prevention councils. Adopts House provision.

Education of juveniles committed to the Dep't of Juvenile Justice and Delinquency Prevention. Adopts House provision.

Communities in Schools reduction. Appropriation to Communities in Schools of NC, Inc. is reduced by $75,000 fro 2004-05.

Department of Correction

Shift pay for security staff. Not in controversy.

Security staffing formulas. Not in controversy.

Inmate costs/clothing and laundry services. Not in controversy.

Federal grant matching funds. Adds provision authorizing Dep't to use up to $290,000 to match certain listed federal grants.

Energy committed to offenders/contract and report. Adopts Senate provision.

Inmate custody and classification system. Not in controversy.

Confidentiality of identities of persons Involved with State executions. Adopts Senate provision.

Provide that Columbus County Prison shall be constructed in accordance with the same North Carolina State Building Code under which the prisons in Scotland, Anson, Alexander, Greene, and Bettie counties were constructed. Adopts Senate provision.

Reserve for increasing prison beds at Pamlico Correctional Center. Adopts Senate provision.

Nonprofit programs. Adopts House provision.

Electronic monitoring program. Substantially adopts House provision.

Inmates eligible for parole. Not in controversy.

Report by Post-Release Supervision and Parole Comm'n. Substantially adopts Senate provision.

Criminal Justice Partnership Program. Adopts Senate provision.

Collection of offender fees. Adopts Senate provision.

Provides that the unlawful distribution of methamphetamine that proximately results in the death of a person is second degree murder, make it an aggravating factor to manufacture met amphetamine in a location that endangers a child, increase the criminal penalty for the unlawful manufacture of methamphetamine, increase the criminal penalty for the possession of precursor substances for methamphetamine, and require the Commission for Health Services to establish decontamination standards for property used for the manufacture of methamphetamine. Deleted.

Department of Crime Control and Public Safety

Victims' compensation and medical treatment. Not in controversy.

Transfer Boxing Commission duties to the Alcohol Law Enforcement Division. As title indicates.

Clarify the authority of the State Highway Patrol to operate weigh stations. Adopts Senate provision.

Report on VIPER System. Adopts Senate provision.

Department of Administration

Allocation of petroleum violation escrow funds. Not in controversy.

Burial services for veterans on weekends. Adopts Senate provision.

Study of state-funded advertising. Not in controversy.

Escheat funds for veterans' scholarships. Not in controversy.

Proceeds from sale of Polk Building in Charlotte. Not in controversy.

Study of advocacy programs in Dep't of Administration. Not in controversy.

State veterans cemetery. Not in controversy.

Light Ground Pocosin Property to Wildlife Resources. Not in controversy.

Blount Street Property Sale. Not in controversy.

Storm water management for State facilities. Deleted.

North Carolina Youth Advocacy and Involvement Fund. Adopts Senate provision.

Office of the State Auditor

Auditor to reduce span of control. Not in controversy.

Housing Finance Agency

Housing Finance Agency shall create the North Carolina Home Protection Pilot Program and Loan fund in order to assist North Carolina workers who have lost jobs as a result of changing economic conditions in North Carolina when the workers are in need of temporary assistance to avoid losing their homes to foreclosure. Adopts Senate provision with the following changes. Provides that in certain circumstances, upon the filing of an application for loan assistance by a mortgagor, a mortgagee shall not do the following: accelerate the maturity of any mortgage covered by this section; commence or continue any legal action to recover the mortgage obligation; take possession of any security of the mortgagor for the mortgage obligation; procure or receive a deed in lieu of foreclosure; enter judgment by confession pursuant to a note accompanying a mortgage; proceed to enforce the mortgage obligation pursuant to applicable rules of civil procedure for a period of 120 days following the date of the morgagor's properly filed application.

Equity-Building Homes. Deleted.

Department of Insurance

Sunset removed for use of Insurance Regulatory Fund monies. Not in controversy.

Handbooks on Building Code not required. Adopts Senate provision.

Continuing education requirements for bail bondsmen. Adopts Senate provision.

Informational Technology

Multiyear maintenance contracts. Adopts Senate provision.

Information technology oversight. Deletes House provision.

Office of Administrative Hearings

Rules Review Comm'n transferred to Office of Administrative Hearings; authorization for Rules Review Commission to obtain outside counsel. Substantially adopts House provision.

Department of Revenue (DOR)

Call center fee use. Adopts House provision.

Fee for taxpayer locator services and collection. Not in controversy.

Modify DOR reporting to General Assembly. Not in controversy.

Revenue law enforcement officers. Amends GS 105-236.1 to authorize Sec'y of Revenue to appoint up to 11 employees of the Motor Fuels Div'n to serve as revenue law enforcement officers responsible for enforcing motor fuels taxes imposed by Ch. 105 and Ch. 119.

Business taxation study. Authorizes DOR to use up to $259,000 of its 2004-05 funds for information technology necessary to estimate the revenue impact of proposals to improve state business taxation, and to create computer-modeling capability to predict the fiscal effect of proposed changes.

Rules Review Commission

Payment of attorneys' fees. Deletes House provision.

Secretary of State

Repeal of transfer of consultation requirement under Business License Information Office to Small Business Centers. Deletes Senate provision.

State Board of Elections

Increase match funds for Help America Vote Act (HAVA). Not in controversy.

State Board of Elections funds to finance judicial campaigns. Adopts Senate provision.

Office of State Budget and Management

North Carolina Humanities Council reporting. Not in controversy.

Exploris Museum. Requires that as a condition of receiving state funds, Museum Board of Directors shall review resource management and develop a plan to make Museum self-sustaining.

Marine Corps Museum of the Carolinas. Provides that if any funds are allocated to Museum under act, funds shall only be used for planning a museum to honor NC men and women who have served in Marine Corps in the Carolinas and funds shall be maintained in a separate account. Further provides that the Public Records Law applies to that fund and requires that the Museum shall provide quarterly reports to the Office of State Budget and Management on fund expenditures.

Office of the State Controller

Overpayments audit. Not in controversy.

State Business Infrastructure Project. Adopts Senate provision with the following changes. Requires that funds be used to secure contractual services and project management to review current Human Resources/Payroll processes and recommend new processes, document new system requirements, and to prepare an RFP for software licenses, design, and implementation of a new integrated system. Further requires that RFP be submitted to the 2005 General Assembly session for funding. Provides that sec. is inapplicable if S 991, 2003 Regular Session, becomes law.

Employment reporting: federal compliance. Authorizes the Office of the State Controller to use up to $300,000 in budget code 24172, OSC Recovery Fund, 2004-05, to acquire software to be used by all state agencies to ensure compliance with federal laws requiring the reporting of employment of and payments to aliens. Requires OSC to transfer up to $100,000 in budget code 24172, OSC Recovery Fund, 2004-05, for model training and for contract position to ensure compliance with such federal laws. Appropriates necessary funds from the OCS Recovery Fund to comply with sec. Further requires that UNC Board of Governors use budgeted funds to ensure compliance with these federal laws.

Office of State Personnel

Study State Personnel Act. Deletes Senate provision.

Department of the State Treasurer

Reestablish state investment officer position. Not in controversy.

Escheat Fund report on principal. Deletes Senate provision.

Department of Transportation

Small Construction and Contingency Funds. Adopts House provision with the following changes. Provides that $21 million (was, $14 million) shall be allocated for small (was, small urban) construction projects recommended by the member of the Board of Transportation representing the div'n in which the project is to be constructed, in consultation with the div'n engineer and as approved by DOT. Makes technical changes.

Anticipated revenues. Not in controversy.

Cash flow. Not in controversy.

Western North Carolina passenger rail service. Not in controversy.

Indian Culture Center. Deletes House provision.

Visitor Center funds. Adopts Senate provision with the following changes. Appropriates an additional $100,000 for operating assistance for Visitor Center on U.S. Highway 221 in McDowell County.

Intrastate improvement projects. Adopts Senate provision with the following changes. Amends GS 137-178(a) to provide that route segments shall have four lanes except those for which projected traffic volumes and environmental considerations dictate fewer lanes. Further provides that if Intrastate Trust Funds cannot be used for GS 136-79 projects, then they may be used for projects on listed route segments or corridors. Amends GS 136-179 to change description of US 321 project to require 4-laning from Tennessee line (was, Boone) to South Carolina line and US 421 from US 321 west of Boone (was, Tennessee line) to I-40. Makes technical changes.

GTP Fund repayment and restrictions. Requires that NC Global TransPark Authority shall pay $2.5 million to the Escheat Fund from funds borrowed from fund and that all interest on borrowed funds may only be used to repay loan. Amends GS 147-69.2(b)(11) to change maturity date of obligations to July 1, 2005 (was, Sept. 1, 2004).

Urban loops. Adopts Senate provision with the following changes. Amends GS 136-180(a) to provide that Charlotte Outer Loop shall encircle City of Charlotte and shall include 6-laning of the portion from Johnston Road/US 521 south to I-77 south of Charlotte. Changes description of Wilmington Bypass to provide that it shall continue from US 421 in southern Wilmington northeast along Independence Blvd., and extending to Martin Luther King, Jr. Parkway.

Annual overwidth vehicle movement permits and escort driver training for agricultural vehicles. Adopts Senate provision.

Currituck County Airport land conveyance. Adopts Senate provision.

Airport grants for imminent safety threats. Adopts Senate provision.

DOT shall pave areas in NC Indian Culture Center. Adopts Senate provision.

Passenger vehicles towing other vehicles to keep right. Adopts Senate provision.

Ollie Harris Highway and Kings Mountain Historic District signage. Delete Senate provision.

Funds from Dep't of Revenue's Fuel Tax Action Plan. Adopts Senate provision with the following changes. Requires that DOR submit periodic reports to the Jt. Legis. Transportation Oversight Comm. and Jt.

Legis. Comm'n on Governmental Operations on plan implementation, initial report due Aug. 1, 2004 and subsequent reports to be made every three months beginning Nov. 1, 2004. Provides that revenue shall not be distributed until revenue has been reported on under sec.

Leaking Petroleum Underground Storage Tank Cleanup Fund solvency. Adopts House provision.

Stormwater Pilot Project. Adopts Senate provision with the following changes. Requires that DOT use up to $15 million in 2004-05 for a stormwater pilot project to clean up state-maintained ocean outfalls and associated outlets (was, required that $2.5 million of DOT funds from EEP be used for stormwater pilot project in Dare County).

State dredge study by Joint Legislative Transportation Oversight Committee (JLTOC). Adopts Senate provision.

JLTOC to study transportation related drug and alcohol tests. Adopts Senate provision.

DOT Project Delivery Study implementation. Adopts Senate provision.

Pottery highway signs. Adopts House provision.

No median on part of U.S. Highway 64 in Randolph County. Adopts House provision.

Town of Cornelius Median Cuts. Adopts Senate provision.

State Infrastructure Bank. Requires that DOT collect repayments from State Infrastructure Bank loans by reducing funds allocated to the borrowers under GS 136-41.1.

Salaries and Employee Benefits

Salary increases for Governor and Council of State. $121,391

Salary increases for elected members of Council of State. $107,136

Salary increases for nonelected department heads. $104,672

Salary increases for executive branch officials. Increases salaries as follows:

Chairman, Alcoholic Beverage Control Commission	$ 95,270
State Controller	133,330
Commissioner of Motor Vehicles	95,270
Commissioner of Banks	107,136
Chairman, Employment Security Commission	133,161
State Personnel Director	104,672
Chairman, Parole Commission	86,993
Members of the Parole Commission	80,315
Chairman, Utilities Commission	119,315
Members of the Utilities Commission	107,136
Executive Director, Agency for Public Telecommunications	80,315
Director, Museum of Art	97,621
Executive Director, North Carolina Agricultural Finance Authority	92,732
State Chief Information Officer	133,250

Salary increases for judicial branch officials. Increases salaries as follows.

Chief Justice, Supreme Court	$121,391
Associate Justice, Supreme Court	118,219
Chief Judge, Court of Appeals	115,263
Judge, Court of Appeals	113,293
Judge, Senior Regular Resident Superior Court	110,215
Judge, Superior Court	107,136
Chief Judge, District Court	97,285
Judge, District Court	94,207
Administrative Officer of the Courts	110,215
Assistant Administrative Officer of the Courts	100,671

Provides that average salary of assistant district attorneys or assistant public defenders in the judicial district shall not exceed $61,696. Increases minimum salary of assistant district attorney or assistant public defender to $32,035. Increases the annual salaries of other permanent, full-time employees by the greater of $1,000 or 2.5% and permanent part-time employees by pro rata amounts.

Salary increases for clerks of superior court. Increases salaries as follows:

Population	Annual Salary
Less than 100,000	$71,659
100,000 to 149,999	80,413
150,000 to 249,999	89,169
250,000 and above	97,925

Salary increases for assistant and deputy clerks of superior court.

Assistant Clerks and Head Bookkeeper	Annual Salary
Minimum	$27,515
Maximum	47,626
Deputy Clerks	
Minimum	23,565
Maximum	36,934

Salaries for magistrates. Increases salaries as follows:

Entry Rate	$27,889
Step 1	30,525
Step 2	33,393
Step 3	36,523
Step 4	39,952
Step 5	43,789
Step 6	48,036

Adopts House amendment to GS 7A-171.1(a)(3). Amendments to GS 7A-171.1(a1) not in controversy

Salaries for General Assembly principal clerks. Increases salaries to $90,514.

Salaries for sergeant-at-arms and reading clerks. Establishes rate of $311 per week.

Salaries for legislative employees. Provides that annual salaries shall be increased by the greater of $1,000 or 2.5%.

Salaries for community college personnel. Provides that Director of Budget shall transfer funds necessary to provide annual salaries increases of $1,000 or 2.5%.

University of North Carolina personnel exempt from the State Personnel Act (EPA employees). Directs the Director of the Budget to transfer to the Board of Governors and the NC School of Science and Mathematics sufficient funds to provide an annual salary increase by the greater of $1,000 or 2.5% for EPA employees. Authorizes Board of Governors and Board of Trustees to determine the salary increases of EPA employees but prohibits Boards from using salary funds for any other purpose. Strongly encourages Board of Governors to give each affected employee that would otherwise be eligible for a 2.5% increase a minimum $1,000 salary increase.

Salaries for most state employees. Provides that annual salaries of shall be increased by the greater of $1,000 or 2.5%. Provides that permanent full-time employees who work a nine-eleventh month work year shall received the greater of $1,000 or a 2.5% increase.

Salary of the director of the Housing Finance Agency. Adopts House provision.

Salary adjustment fund. Adopts Senate provision.

Temporary sales tax transfer for Wildlife Resources Comm'n salary increases. Adopts Senate provision.

Insurance benefits for state employees. Deletes Senate provision.

Report on proposed UNC unified leave policy. Adopts Senate provision with the following changes. Require that UNC Board of Governors report jointly with State Personnel Comm'n. Provides that no policy shall be implemented without an act of the General Assembly expressly authorizing its implementation. Not applicable to NC Health Care System.

Salary-related contributions/employer. Amends GS SL 2003-284, Sec. 30.16(c), to increase employer contribution rates as follows effective July 1, 2004.

Teachers and State Employees	5.815%
State Law Enforcement Officers	10.815%
University Employees' Optional Retirement	10.485% (decrease from 10.56%)
Community College Optional Retirement	10.485% (decrease from 10.56%)
Consolidated Judicial Retirement System	15.79%

Cost of living adjustments. Increases all cost of living adjustments to 1.7%.

Miscellaneous pension increases. Increases monthly pension to $161 (was, $160) per month.

Retired teachers returning to classroom without loss of retirement benefits/option extended. Adopts Senate provision with the following changes. Enacts new Sec. 31.18A(g) to require that effective July 1, 2004,

each local school administrative unit shall pay to the Teachers' and State Employees' Retirement System a Reemployed Teacher Contribution Rate of 11.70% of salaries paid to retired teachers. Makes Sec. 31.18A effective June 30, 2004.

Change District Court judges retirement age. Deletes Senate provision and replaces it with provision requiring that Administrative Office of the Courts study the mandatory retirement age for judges and report its findings to the General Assembly by Feb. 1, 2005.

Clarify the probation and parole officers are covered by the Law-Enforcement Officer s. Firemen's. Rescue Squad Workers and Civil Air Patrol Members' Death Benefits Act. Adopts Senate provision.

Retiree Health Benefit Fund. Not in controversy.

North Carolina Symphony under State Health Plan. Adopts Senate provision.

State Health Plan Prescription Drug Program. Deletes House provision.

Preferred providers of emergency medical care. Deletes House provision.

Tricare supplemental health insurance. Not in controversy.

State Health Plan; Liability of Third Parties; Right of Subrogation; Right of First Recovery. Adopts Senate provision.

Local governments provided optional coverage under Teachers' and State Employees' Comprehensive Major Medical Plan. Adopts Senate provision with following changes. Deletes amendments to GS 135-6A(d) and adds expiration date of June 30, 2006.

State Health Plan Executive Administrator and Deputy Executive Administrator exempt from State Personnel Act. Adopts Senate provision.

Residential treatment centers/State Health Plan coverage. Adopts Senate provision.

State Health Plan coverage limitation. Deletes Senate provision.

Capital Appropriations

Capital appropriations/General Fund. For 2004-05 appropriates $26,492,000 to Dep't of Environment and Natural Resources for water resources development projects. Appropriates $2,000,000 to Dep't of Commerce for State Ports Authority replacement of Port of Wilmington crane rail and of $2 million to Radio Island Development and Improvements. Appropriates $2.2 million to North Carolina Museum of Art for expansion planning funds. Appropriates following amounts to UNC System: Center for Design Innovation - $2 million; Winston-Salem State University Dep't of Life Sciences - $2 million; N.C. A&T and UNC-Greensboro Millennium Campus - $4 million; NC Motor Sports Testing and Research Complex - $2 million. Appropriates $500,000 to the UNC-Wilmington School of Nursing.

Water resources development project funds. Allocates DENR capital appropriations among the following projects:

	Name of Project	2004-2005
(1)	Wilmington Harbor Deepening	$9,300,000
(2)	Morehead City Harbor Maintenance	1,000,000
(3)	Manteo (Shallowbag) Bay Channel Maintenance	2,000,000
(4)	B. Everett Jordan Water Supply Storage	100,000
(5)	John H. Kerr Reservoir Operations Evaluation	600,000
(6)	Beaufort Harbor Maintenance Dredging (Carteret County)	80,000
(7)	Bogue Banks Shore Protection Study (Carteret County)	129,000
(8)	Surf City/North Topsail Beach Protection Study	350,000
(9)	West Onslow Beach (Topsail)	117,000
(10)	Swan Quarter (Hyde County) Flood Control Dikes	100,000
(11)	Hurricane Isabel Emergency Stream Cleanup -- NE NC	2,000,000
(12)	Cape Fear River Basin Water Management Study	161,000
(13)	State Local Projects	2,339,000
(14)	Lower Lockwoods Folly Dredging	336,000
(15)	Currituck Sound Water Management Study	210,000
(16)	Aquatic Weed Control, Lake Gaston and Statewide	275,000
(17)	Deep Creek (Yadkin County) Water Management	2,000,000
(18)	Neuse River Basin Feasibility Study	400,000
(19)	Neuse Water and Sewer Project	3,500,000
(20)	Environmental Restoration Projects	700,000
(21)	Projected Feasibility Studies	200,000
(22)	Planning Assistance to Communities	95,000
	Total	$26,492,000

Adopts House non-monetary provisions with the following changes. Provides that if additional funds are available they should be allocated to Silver Lane Harbor, Far Creek Channel Maintenance, and Walters Slough Maintenance Dredging.

Repair and renovation reserve allocation. Not in controversy.

UNC-Wilmington School of Nursing facility. Provides that of the funds appropriated in act to the UNC Board of Governors, the sum of $500,000 shall be used for the planning and design of a facility for the School of Nursing.

Restore bond funds used for mold remediation. Deletes Senate provision.

Parts XXXII-A through F

Reduce corporate income tax. Deletes Senate provision.

Sales tax refunds and exemptions. Adopts Senate provision with the following changes. Adds definition of computer manufacturing.

Qualified Business Investment Credit. Adopts Senate provision with the following changes. Decrease cap on tax credits to $7 million (was, $9 million). Changes repeal date to Jan. 1, 2008 (was, Jan. 1, 2009).

Research and Development Tax Credit. Amends GS 105-129.50(6) to clarify that qualified expenses are other than NC university research expenses. Amends GS 105-129.51 to change repeal date to Jan. 1, 2009 (was, 2014). Amends GS 105-129.55(a) to provide that only one credit is allowed under subsection for same expenses. Repeals GS 105-129.10 and –129.51(c) effective Jan. 1, 2006. Makes remainder of act effective for business activities occurring after May 1, 2005 (was, Jan. 1, 2005).

Escheat Fund investments. Deletes Senate provision.

Insurable interest of charitable organizations. Adopts Senate provision with the following changes. Provides that sec. expires Oct. 1, 2007.

Job Development Investment Grant Program

Job Development Investment Grant Program. Adopts Senate provision with the following changes. Provides that the Chairs of the House and Senate Finance Comm. shall conduct a study of the Program, results to be submitted to the General Assembly no later than April 1, 2005.

Miscellaneous Provisions

Executive Budget Act applies. Not in controversy.

Committee report. Provides that the Jt. Conference Comm. Report shall be used to construe act.

Effective date. Effective July 1, 2004 unless otherwise indicated.

H 1464. SCHOOL CALENDAR CHANGES. Intro. 5/17/04. Conference report recommends the following changes to Senate Committee Substitute #2 to reconcile matters in controversy. Retains amendment to GS 115C-84(a)(4) requiring that five teacher workdays be used only to allow teachers to complete instructional and administrative duties; adds that local school board must schedule one of these five days at the beginning of the school year and one at the end of each academic quarter. Increases from five to seven the number of days a local school board must designate as available for teachers to take accumulated vacation leave. Deletes provision with specific reference to year-round schools. Adds provision allowing State Board of Education to waive opening and closing date requirements for an "educational purpose" as defined in act. Does not allow waiver requests for educational purpose to be used to accommodate system-wide scheduling preferences. Provides that opening and closing dates do not apply to a school with a modified calendar in 2003-04, or that was part of a planned program in 2003-04 for a system of modified calendar schools, as long as school operates under a modified calendar. Adds requirement that State Board study scheduling and purposes of noninstructional teacher workdays.

SUMMARIES OF AMENDMENTS AND COMMITTEE SUBSTITUTES JULY 18, 2004

SENATE BILLS

S 277. EXEMPT HIGHER ED. PROPERTY. Intro. 3/4/03. House amendment makes the following changes to 3rd edition. Makes bill effective for taxes imposed for taxable years beginning on or after July 1, 2004 (was July 1 2001).

S 1003. NON-STATE ENTITIES REPORTING REQUIREMENTS (NEW). Intro. 4/3/03. House committee substitute makes the following changes to 2nd edition. Deletes provisions of previous edition and changes title to *AN ACT TO CLARIFY AND STRENGTHEN THE REPORTING REQUIREMENTS OF NON-STATE ENTITIES RECEIVING STATE FUNDS.* Substantially incorporates and expands the provisions on this subject as contained in sec. 6.24, H 1414, 6th ed. (Senate version of the appropriations bill).

S 1152. STUDIES ACT OF 2004. Intro. 4/18/04. House committee substitute makes the following changes to 3rd edition. Adds several topics that Legislative Research Comm'n, legislative oversight committees, and commissions may study. Deletes several areas of possible study. Adds new Art. 30, GS Ch. 120, creating sixteen-member Joint Legislative Oversight Committee on Information Technology. Directs the Office of State Personnel to conduct a reclassification study of all sworn law enforcement officers in the Div'n of Parks and Recreations of DEHR. Directs NC Sentencing and Policy Advisory Comm'n to study the NC structured sentencing act. Creates study commissions on guardianship laws, financing infrastructure for industrial corridors, the state's revenue system, economic development Infrastructure, worker retraining, and Medicaid reform.

S 1152. STUDIES ACT OF 2004. Intro. 5/18/04. House amendment makes the following changes to 4th edition. Adds back study of school calendar that was deleted in 3rd edition. Deletes Dep't of Transportation and Dep't of State Treasurer joint study of financing for Wilmington Bypass project. Also deletes study commission on financing infrastructure for industrial corridors, which was to examine development of Highway 421 Industrial Corridor in Pender and New Hanover Counties.

S 1152. STUDIES ACT OF 2004. Intro. 5/18/04. Conference report recommends the following changes to 4th edition as amended. Adds new section amending Sec. 31.18A(g) of H 1414 (budget bill) to require any charter school participating in Teachers' and State Employees' Retirement System to pay appropriate contribution and to report on its payments to Retirement Systems Div'n.

LEGISLATION ENACTED

SL 2004-99 (S 1305). ANGIER SATELLITE ANNEXATION. *AN ACT CONCERNING VOLUNTARY SATELLITE ANNEXATION BY THE TOWN OF ANGIER.* Summarized in *Daily Bulletin* 7/1/04. Enacted July 15, 2004. Effective July 15, 2004.

SL 2004-100 (S 1315). CABARRUS BOARD OF EQUALIZATION AND REVIEW. *AN ACT TO AUTHORIZE THE APPOINTMENT OF A SPECIAL BOARD OF EQUALIZATION AND REVIEW FOR CABARRUS COUNTY.* Summarized in *Daily Bulletin* 5/25/04 and 7/7/04. Enacted July 15, 2004. Effective July 15, 2004.

SL 2004-101 (H 1401). WILKES VISITOR CENTER. *AN ACT TO PERMIT THE COUNTY OF WILKES TO ACQUIRE PROPERTY AND CONVEY IT TO THE STATE FOR USE AS A VISITORS' CENTER/REST AREA.* Summarized in *Daily Bulletin* 5/12/04. Enacted July 15, 2004. Effective July 15, 2004.

SL 2004-102 (H 1688). CONCORD ANNEXATION EFFECTIVE DATE. *AN ACT TO ALLOW A DEFERRED EFFECTIVE DATE FOR CERTAIN VOLUNTARY ANNEXATIONS OF THE CITY OF CONCORD.* Summarized in *Daily Bulletin* 5/27/04. Enacted July 15, 2004. Effective June 30, 2004.

SL 2004-103 (H 1700). DURHAM VEHICLE TAX SUNSET EXTENDED/USES. *AN ACT TO EXTEND THE SUNSET ON THE DURHAM CITY ADDITIONAL MUNICIPAL VEHICLE TAX AND CONCERNING THE*

PURPOSES FOR WHICH THOSE FUNDS MAY BE EXPENDED. Summarized in *Daily Bulletin* 5/27/04 and 7/7/04. Enacted July 15, 2004. Effective July 15, 2004.

SL 2004-104 (H 1734). OCEAN ISLE CANAL DREDGING. *AN ACT TO ALLOW THE TOWN OF OCEAN ISLE BEACH TO IMPOSE A CANAL DREDGING FEE.* Summarized in *Daily Bulletin* 5/27/04, 6/23/04, and 7/12/04. Enacted July 15, 2004. Effective July 15, 2004.

SL 2004-105 (S 1060). TOWN OF FRANKLIN OCCUPANCY TAX. *AN ACT TO AUTHORIZE THE TOWN OF FRANKLIN TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX.* Summarized in *Daily Bulletin* 5/13/04. Enacted July 16, 2004. Effective July 16, 2004.

SL 2004-106 (S 1181). MODIFY ALLEGHANY OCCUPANCY TAX. *AN ACT TO MODIFY THE ADMINISTRATIVE PROVISIONS OF THE ALLEGHANY OCCUPANCY TAX.* Summarized in *Daily Bulletin* 5/20/04 and 6/3/04. Enacted July 16, 2004. Effective July 16, 2004.

SL 2004-107 (S 1343). WHITEVILLE ANNEXATION. *AN ACT TO ANNEX TO THE CITY OF WHITEVILLE THE EXISTING DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY OF US HIGHWAYS 74/76 AND 701 AROUND THE OVERPASS AREA TO HELP ACCOMMODATE THE MAINTENANCE REQUIREMENTS OF THE INTERCHANGE LIGHTING PROJECT.* Summarized in *Daily Bulletin* 5/26/04. Enacted July 16, 2004. Effective July 16, 2004.

SL 2004-108 (H 1422). MINT HILL/KINGS MOUNTAIN/USE OF ALL-TERRAIN VEHICLES. *AN ACT TO PERMIT LAW ENFORCEMENT OFFICERS IN MINT HILL AND MUNICIPAL EMPLOYEES AND LAW ENFORCEMENT OFFICERS OF THE CITY OF KINGS MOUNTAIN TO OPERATE UNREGISTERED ALL-TERRAIN VEHICLES ON HIGHWAYS WITH SPEED LIMITS OF THIRTY-FIVE MILES PER HOUR OR LESS.* Summarized in *Daily Bulletin* 5/13/04, 6/30/04, 7/7/04, and 7/14/04. Enacted July 16, 2004. Effective July 16, 2004.

NEXT SESSIONS

January 26, 2005

HOUSE convenes at 12:00 p.m.

SENATE convenes at 12:00 p.m.

341
35: 2004/41

Daily Bulletin

ACTIONS BY THE NORTH CAROLINA GENERAL ASSEMBLY

Institute *of* Government—School of Government
The University of North Carolina at Chapel Hill
Legislative Reporting Service, Box 7294 State Legislative Building, Raleigh, NC 27601
Phone 919.733.2484 Fax 919.715.3464

N.C. DOCUMENTS CLEARINGHOUSE

Vol. 2004, No. 41

JUL 2 7 2004

Friday, July 23, 2004

STATE LIBRARY OF NORTH CAROLINA
RALEIGH

LEGISLATION ENACTED

SL 2004-109 (S 1167). CONDO AND PLANNED COMMUNITY CLARIFICATIONS. *AN ACT TO CLARIFY THE LAWS ON THE POWERS OF CONDOMINIUM UNIT OWNERS' ASSOCIATIONS AND PLANNED COMMUNITY OWNERS' ASSOCIATIONS, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, TO PERMIT ELECTRONIC NOTICES OF OWNERS' ASSOCIATION MEETINGS, TO AMEND THE SECRET PEEPING STATUTE, AND TO MAKE CONFORMING CHANGES.* Summarized in *Daily Bulletin* 5/19/04 and 6/22/04. Enacted July 17, 2004. Sections 7 and 8 are effective December 1, 2004. The remainder of the act is effective July 17, 2004.

SL 2004-110 (H 1430). IRC UPDATE AND OTHER TAX CHANGES. *AN ACT TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE USED IN DEFINING AND DETERMINING CERTAIN STATE TAX PROVISIONS, TO SET THE PUBLIC UTILITY AND INSURANCE REGULATORY FEES, TO EXTEND THE SUNSET ON THE LOW-INCOME HOUSING TAX CREDIT, TO CLARIFY THE SALES TAX INCENTIVES FOR MAJOR PROJECTS, TO MAINTAIN THE CURRENT SALES TAX RATES ON ELECTRICITY USED BY MANUFACTURERS, AND TO ESTABLISH FAMILY COURT FEES.* Summarized in *Daily Bulletin* 5/13/04, 5/27/04, and 6/17/04. Enacted July 17, 2004. Effective July 17, 2004, except as otherwise provided.

SL 2004-111 (S 486). CUSTOMER INQUIRIES/INSURANCE COVERAGE. *AN ACT TO PROHIBIT INSURANCE COMPANIES FROM USING CUSTOMER INQUIRIES TO TERMINATE A POLICY, TO REFUSE TO ISSUE OR RENEW A POLICY, OR TO SUBJECT A POLICY TO CONSENT TO RATE.* Summarized in *Daily Bulletin* 6/3/04 and 6/21/04. Enacted July 17, 2004. Effective October 1, 2004.

SL 2004-112 (H 1469). DHHS DISEASE MANAGEMENT ACTIVITIES. *AN ACT TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO INITIATE OR CONTINUE CERTAIN DISEASE MANAGEMENT ACTIVITIES, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON THE RISING COST OF HEALTH CARE.* Summarized in *Daily Bulletin* 5/17/04 and 6/17/04. Enacted July 17, 2004. Effective July 17, 2004.

SL 2004-113 (H 918). INCREASE SERVICE OF PROCESS FEE. *AN ACT TO INCREASE THE FEE FOR SERVICE OF PROCESS IN CIVIL CASES AND TO EARMARK THE INCREASE TO ENSURE TIMELY SERVICE OF PROCESS.* Summarized in *Daily Bulletin* 4/8/03, 7/16/03, and 6/24/04. Enacted July 17, 2004. Effective September 1, 2004.

SL 2004-114 (S 1092). VA–NC INTERSTATE HIGH-SPEED RAIL COMPACT. *AN ACT TO ESTABLISH THE VIRGINIA-NORTH CAROLINA INTERSTATE HIGH-SPEED RAIL COMPACT.* Summarized in *Daily Bulletin* 5/13/04. Enacted July 17, 2004. Effective July 17, 2004.

SL 2004-115 (H 964). FURNITURE REQUIREMENTS CONTRACTS. *AN ACT TO AMEND THE LAW GOVERNING FURNITURE REQUIREMENT CONTRACTS FOR STATE AGENCIES.* Summarized in *Daily Bulletin* 4/9/03 and 6/24/04. Enacted July 17, 2004. Effective July 1, 2004.

This publication is printed on permanent, acid-free paper in compliance with the North Carolina General Statutes.
Institute of Government—School of Government
The University of North Carolina at Chapel Hill

© 2004

SL 2004-116 (H 1459). SBE/STUDY TEACHER PREPARATION COURSES. *AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE HOUSE INTERIM COMMITTEE ON PROVIDING AN APPROPRIATE EDUCATION FOR STUDENTS ON LONG-TERM SUSPENSION TO DIRECT THE STATE BOARD OF EDUCATION TO DETERMINE WHETHER TEACHER PREPARATION PROGRAMS SHOULD REQUIRE COURSES IN DIVERSITY TRAINING, ANGER MANAGEMENT, CONFLICT RESOLUTION, AND CLASSROOM MANAGEMENT.* Summarized in *Daily Bulletin* 5/17/04 and 6/16/04. Enacted July 17, 2004. Effective July 17, 2004.

SL 2004-117 (S 732). NEW URBAN WATERFRONT DEVELOPMENT PILOT. *AN ACT TO AUTHORIZE THE COASTAL RESOURCES COMMISSION TO IMPLEMENT A PILOT PROGRAM UNDER WHICH A COUNTY MAY DESIGNATE AN AREA AS A NEW URBAN WATERFRONT UNDER THE COASTAL AREA MANAGEMENT ACT OF 1974.* Summarized in *Daily Bulletin* 6/29/04. Enacted July 17, 2004. Effective July 17, 2004.

SL 2004-118 (S 444). SCHOOL INFORMATION/MENINGITIS AND FLU. *AN ACT TO ENSURE THAT EDUCATIONAL MATERIALS ARE PROVIDED SO THAT SCHOOLS PROVIDE INFORMATION TO PARENTS AND GUARDIANS CONCERNING MENINGOCOCCAL MENINGITIS AND INFLUENZA AND THEIR VACCINES.* Summarized in *Daily Bulletin* 6/23/04 and 6/24/04. Enacted July 17, 2004. Effective July 1, 2004, beginning with the 2004–2005 school year.

SL 2004-119 (H 1547). CHAPEL HILL OPEN SPACE/DEVELOPMENT RIGHTS. *AN ACT TO ALLOW THE TOWN OF CHAPEL HILL TO PURCHASE ADDITIONAL LAND FOR OPEN SPACE OUTSIDE ITS JURISDICTION.* Summarized in *Daily Bulletin* 5/20/04, 6/2/04, 7/9/04, and 7/14/04. Enacted July 17, 2004. Effective July 17, 2004.

SL 2004-120 (H 1348). CAMDEN OCCUPANCY TAX. *AN ACT TO AUTHORIZE CAMDEN COUNTY TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX.* Summarized in *Daily Bulletin* 5/10/04, 7/12/04, and 7/18/04. Enacted July 17, 2004. Effective July 17, 2004.

SL 2004-121 (H 1671). MOORESVILLE STREETS AND SIDEWALKS. *AN ACT REPEALING ARTICLE VIII OF THE CHARTER OF THE TOWN OF MOORESVILLE, SO THAT THE GENERAL LAW ON STREET AND SIDEWALK IMPROVEMENTS WILL APPLY.* Summarized in *Daily Bulletin* 5/26/04. Enacted July 17, 2004. Effective July 17, 2004.

SL 2004-122 (H 1520). GASTON TEMPORARY SALES TAX REFERENDUM. *AN ACT TO AUTHORIZE GASTON COUNTY TO LEVY A TEMPORARY HALF CENT LOCAL SALES TAX FOR ECONOMIC DEVELOPMENT AND TOURISM PROJECTS, IF APPROVED BY THE VOTERS OF THE COUNTY.* Summarized in *Daily Bulletin* 5/19/04. Enacted July 18, 2004. Effective July 18, 2004.

SL 2004-123 (H 142). DARE SALES TAX. *AN ACT TO AUTHORIZE DARE COUNTY TO LEVY AN ADDITIONAL ONE PERCENT SALES AND USE TAX THE PROCEEDS OF WHICH SHALL BE USED FOR BEACH NOURISHMENT.* Summarized in *Daily Bulletin* 7/8/04, 7/12/04, and 7/18/04. Enacted July 18, 2004. Effective July 18, 2004.

SL 2004-124 (H 1414). 2004 APPROPRIATIONS ACT. *AN ACT TO MODIFY THE CURRENT OPERATIONS AND CAPITAL APPROPRIATIONS ACT OF 2003 AND TO MAKE OTHER CHANGES IN THE BUDGET OPERATIONS OF THE STATE.* Summarized in *Daily Bulletin* 5/12/04, 6/8/04, 6/23/04, 6/24/04, and 7/18/04. Enacted July 20, 2004. Effective July 1, 2004, except as otherwise provided.

SL 2004-125 (H 737). CONSTITUTIONAL LIMITS. *AN ACT TO PROVIDE FOR CONSTITUTIONAL REQUIREMENTS FOR REPORTING AND REGULATION OF ELECTIONEERING COMMUNICATIONS, AS APPROVED BY THE UNITED STATES SUPREME COURT; TO ADOPT CONSTITUTIONAL LIMITS FOR CORPORATE EXPENDITURES ON MASS MAILINGS AND TELEPHONE BANKS; AND TO REPEAL A DUPLICATIVE REQUIREMENT FOR OUT-OF-STATE CONTRIBUTORS.* Summarized in *Daily Bulletin* 7/17/04. Enacted July 20, 2004. Effective July 20, 2004, except as otherwise provided. Any criminal penalty resulting from this act becomes effective October 1, 2004.

SL 2004-126 (H 1795). MODIFY YOUTH FACILITY DEBT AUTHORIZATION. *AN ACT TO MODIFY THE AUTHORIZATION FOR SPECIAL INDEBTEDNESS FOR YOUTH DEVELOPMENT CENTERS.* Summarized in *Daily Bulletin* 5/31/04 and 6/23/04. Enacted July 22, 2004. Effective July 22, 2004.

LEGISLATION PENDING APPROVAL OF THE GOVERNOR

	H 173	COSMETIC ART/CONTINUING ED/PENALTY CHANGE.	*H	07-17-2004	Pres. To Gov. 7/16/2004
$	H 281=	2003 TECHNICAL CORRECTIONS ACT.	*H	07-19-2004	Pres. To Gov. 7/19/2004
	H 356=	FEES.	*H	07-17-2004	Pres. To Gov. 7/16/2004
	H 669	HOSPITALS/LTC QUALITY ASSURANCE.	*H	07-17-2004	Pres. To Gov. 7/16/2004
	H 817	GUN SALE LEGAL W/CONCEALED HANDGUN PERMIT.	*H	07-16-2004	Pres. To Gov. 7/15/2004
	H 831=	SALTWATER FISHING FUND/HOLDOVER APPOINTMENTS.	*H	07-18-2004	Pres. To Gov. 7/18/2004
	H 859	BOARD OF FUNERAL SERVICE.	*H	07-17-2004	Pres. To Gov. 7/16/2004
	H 951	CREATE CIVIL NO-CONTACT PROTECTIVE ORDERS.	*H	07-15-2004	Pres. To Gov. 7/14/2004
	H 965	INCREASE PENALTIES FOR FAILURE TO YIELD.	*H	07-15-2004	Pres. To Gov. 7/14/2004
	H1046	AGGRESSIVE DRIVING.	*H	07-17-2004	Pres. To Gov. 7/16/2004
	H1083=	WATER CONSERVATION/SUBMETERS.	*H	07-14-2004	Pres. To Gov. 7/13/2004
	H1107	FORTIFY AGAINST UNAUTHORIZED INSURANCE.	*H	07-17-2004	Pres. To Gov. 7/16/2004
	H1112	PHOSPHORUS NUTRIENT MGT./ANIMAL FEEDLOTS.	*H	07-15-2004	Pres. To Gov. 7/14/2004
	H1119	ELECTION LAW CHANGES - 1.	*H	07-17-2004	Pres. To Gov. 7/16/2004
	H1213	MONETARY COMP/OUTDOOR ADVERTISING	*H	07-17-2004	Pres. To Gov. 7/17/2004
	H1264	FINANCE VITAL PROJECTS/STUDIES.	*H	07-18-2004	Pres. To Gov. 7/18/2004
	H1345=	SPECIAL OFFICERS AUTHORITY/DOT TECH. CORR.	*H	07-17-2004	Pres. To Gov. 7/16/2004
	H1354	STRENGTHEN DOMESTIC VIOLENCE LAWS.	*H	07-16-2004	Pres. To Gov. 7/15/2004
	H1356	INCREASE FEES/QUALIFS. FOR DWI ASSESSMENTS.	H	07-12-2004	Pres. To Gov. 7/9/2004
	H1420	REGIONAL AGENCY DEBT SETOFF.	*H	07-15-2004	Pres. To Gov. 7/14/2004
	H1427=	AMEND SHELLFISH LAWS.	*H	07-17-2004	Pres. To Gov. 7/17/2004
	H1429=	AMEND FISHERY MANAGEMENT PLAN REQUIREMENTS.	*H	07-17-2004	Pres. To Gov. 7/17/2004
	H1449=	APA TECHNICAL/CLARIFYING CHANGES.	*H	07-14-2004	Pres. To Gov. 7/13/2004
	H1453	DISCHARGING FIREARM ON SCHOOL PROPERTY.	*H	07-16-2004	Pres. To Gov. 7/15/2004
	H1463=	HEALTH INSURANCE INNOVATIONS COMMISSION.	*H	07-18-2004	Pres. To Gov. 7/18/2004
	H1464=	SCHOOL CALENDAR CHANGES.	*H	07-19-2004	Pres. To Gov. 7/19/2004
	H1513	INCREASE LOCAL GOV'T DEATH BENEFIT.	H	07-13-2004	Pres. To Gov. 7/12/2004
	H1518	REQUIRE PAYMENT OF RESTITUTION FOR EXPUNCTION.	*H	07-14-2004	Pres. To Gov. 7/13/2004
	H1519	CRIME VICTIM FINANCIAL RECOVERY ASSIST. ACT.	*H	07-17-2004	Pres. To Gov. 7/16/2004
	H1594	ALARM SYSTEMS LICENSE FEES.	*H	07-17-2004	Pres. To Gov. 7/16/2004
	H1602=	DELAYS DOLLAR LIMIT ON CREDIT FOR PARTNERSHIPS.	*H	07-14-2004	Pres. To Gov. 7/13/2004
	H1624	INCREASE RETIREES' CONTRIBUTORY DEATH BENEFIT.	H	07-12-2004	Pres. To Gov. 7/9/2004
	H1636	RENEWABLE FUEL TAX CREDITS.	*H	07-17-2004	Pres. To Gov. 7/17/2004
$	H1665	VENUE FOR JUVENILE HEARINGS.	*H	07-17-2004	Pres. To Gov. 7/16/2004
$	H1699=	UNC NONAPPROPRIATED CAPITAL	H	07-17-2004	Pres. To Gov. 7/16/2004
$		PROJECTS.			
	H1723	CHARTER SCHOOL RETIREMENT ELECTION.	*H	07-17-2004	Pres. To Gov. 7/16/2004

$ S	3	NC MOTORSPORTS TESTING AND RESEARCH/FUNDS.	*S	07-19-2004	Pres. To Gov. 7/19/2004
S	20	REGULATE PROFESSIONAL EMPLOYER ORGANIZATION.	*S	07-17-2004	Pres. To Gov. 7/16/2004
S	52	CLARIFICATIONS REGARDING MEDIATION	*S	07-17-2004	Pres. To Gov. 7/16/2004
S	64	2004 APPOINTMENTS BILL.	*S	07-19-2004	Pres. To Gov. 7/19/2004
S	74	NC VINEYARD AMENDMENTS	*S	07-17-2004	Pres. To Gov. 7/17/2004
$ S	137	SPECIAL OBLIGATION DEBT/PURPOSES.	*S	07-19-2004	Pres. To Gov. 7/19/2004
S	230=	REPEAL UCC ARTICLE ON BULK SALES.	*S	07-12-2004	Pres. To Gov. 7/9/2004
S	277	EXEMPT HIGHER ED. PROPERTY.	*S	07-19-2004	Pres. To Gov. 7/19/2004
$ S	464	NRA SPECIAL PLATE.	*S	07-16-2004	Pres. To Gov. 7/15/2004
S	470	COMPENSATION OF TRUSTEES/OTHER FIDUCIARIES.	*S	07-15-2004	Pres. To Gov. 7/14/2004
S	577	ADJUST COURT JURIS./AMEND MAGISTRATE TERM	*S	07-18-2004	Pres. To Gov. 7/18/2004
S	657	TANNING SALONS/RESTRICTIONS ON USE.	*S	07-19-2004	Pres. To Gov. 7/19/2004
S	676	REVISE THE BANKING LAWS OF NORTH CAROLINA.	*S	07-15-2004	Pres. To Gov. 7/14/2004
S	754=	STOCK CAR RACING THEME SPECIAL PLATES.	*S	07-13-2004	Pres. To Gov. 7/12/2004
$ S	805=	BEAUTIFY MALL.	*S	07-19-2004	Pres. To Gov. 7/19/2004
S	823=	AMEND ENVIRONMENTAL LAWS-3/APPOINTMENTS.	*S	07-18-2004	Pres. To Gov. 7/18/2004
S	852	ORGAN DONOR ORG'S./ACCESS TO DMV RECORDS.	*S	07-14-2004	Pres. To Gov. 7/13/2004
S	916	PREVENT WORKPLACE VIOLENCE.	*S	07-17-2004	Pres. To Gov. 7/17/2004
S	933=	WETLANDS REIMBURSEMENT/LOCAL TAX BASE.	S	07-12-2004	Pres. To Gov. 7/9/2004
S	991	IMPROVE STATE IT EFFICIENCY & PROJ. MGM'T.	*S	07-17-2004	Pres. To Gov. 7/17/2004
S	1008	NON-STATE ENTITIES REPORTING REQUIREMENTS.	*S	07-19-2004	Pres. To Gov. 7/19/2004
S	1043	AGGREGATE TRUCK WEIGHT LIMITS.	*S	07-14-2004	Pres. To Gov. 7/13/2004
S	1054	INCREASE METHAMPHETAMINE PENALTIES.	*S	07-17-2004	Pres. To Gov. 7/16/2004
S	1058=	UNC & COMM. COLL. TUITION/MILITARY STUDENTS.	*S	07-19-2004	Pres. To Gov. 7/19/2004
S	1063=	ELIMINATE IRB WAGE STANDARD.	*S	07-16-2004	Pres. To Gov. 7/15/2004
S	1078=	VEHICLE CONTROL SIGNS AND SIGNALS.	*S	07-13-2004	Pres. To Gov. 7/12/2004
S	1083=	STAGGERED PLATES/SAFETY INSPECTION CHANGE.	*S	07-17-2004	Pres. To Gov. 7/16/2004
S	1089=	DOT AUTHORITY TO RECEIVE FUNDS FROM LOCAL GOV.	S	07-17-2004	Pres. To Gov. 7/16/2004
S	1118=	SPECIAL LICENSE PLATES.	*S	07-18-2004	Pres. To Gov. 7/18/2004
S	1128=	LOCKSMITH CRIMINAL HISTORY RECORD CHECK FEE.	*S	07-17-2004	Pres. To Gov. 7/17/2004
S	1144=	"IN GOD WE TRUST" SPECIAL PLATES.	*S	07-12-2004	Pres. To Gov. 7/9/2004
S	1145	REVENUE LAWS TECHNICAL CHANGES.	*S	07-16-2004	Pres. To Gov. 7/15/2004
S	1148	CARE FOR THE MENTALLY ILL IN LTC FACILITIES.	*S	07-16-2004	Pres. To Gov. 7/15/2004
$ S	1152=	STUDIES ACT OF 2004.	*S	07-19-2004	Pres. To Gov. 7/19/2004
S	1202=	SEPTIC SYSTEM SETBACKS FOR PRE-1977 LOTS.	*S	07-13-2004	Pres. To Gov. 7/12/2004
S	1210=	PHASE II STORMWATER MANAGEMENT-1.	*S	07-13-2004	Pres. To Gov. 7/12/2004
S	1218	CHILD RESTRAINT SYSTEMS MODIFIED.	*S	07-16-2004	Pres. To Gov. 7/15/2004
S	1225=	2004 TECHNICAL CORRECTIONS ACT.	*S	07-19-2004	Pres. To Gov. 7/19/2004

S1244	NC CEMETERY ACT/FEES/BILL LEE TIERS.	*S	07-15-2004	Pres. To Gov. 7/14/2004
S1312	LOCAL GOV'T EMPLOYEES/457 PLAN.	*S	07-13-2004	Pres. To Gov. 7/12/2004
S1384=	AMEND BARBERING LAWS.	*S	07-17-2004	Pres. To Gov. 7/16/2004

'$' indicates the bill is an appropriations bill.
'*' indicates that the text of the original bill was changed by some action.
'=' indicates that the original bill is identical to another bill.

NOTE

The Institute of Government will publish additional *Daily Bulletin*s as needed to report final action on bills pending approval of the Governor. We will resume regular publication of the *Daily Bulletin* when the 2005 Session convenes on January 26, 2005.

The North Carolina Constitution provides that the Governor has thirty days to consider legislation presented to him in the last ten days of a legislative session. If the Governor should veto one of these bills, the General Assembly must reconvene within forty days of adjournment for the sole purpose of reconsidering the vetoed bills (unless a majority of members of each chamber state in written requests that such a session is not necessary).

NEXT SESSIONS

January 26, 2005

HOUSE convenes at 12:00 p.m.

SENATE convenes at 12:00 p.m.

5: 2004/42

N.C. DOCUMENTS
CLEARINGHOUSE

Daily Bulletin

STATE LIBRARY OF NORTH CAROLINA

ACTIONS BY THE NORTH CAROLINA GENERAL ASSEMBLY

Institute *of* Government—School of Government
The University of North Carolina at Chapel Hill
Legislative Reporting Service, Box 7294 State Legislative Building, Raleigh, NC 27601
Phone 919.733.2484 Fax 919.715.3464

Vol. 2004, No. 42

Friday, August 6, 2004

LEGISLATION ENACTED

SL 2004-127 (H 1119). ELECTION LAW CHANGES. *AN ACT TO MAKE CHANGES TO THE ELECTION LAWS.* Summarized in *Daily Bulletin* 4/10/03, 4/22/03, 4/29/03, 7/9/04, and 7/12/04. Enacted July 26, 2004. Effective July 26, 2004, except as otherwise provided.

SL 2004-128 (S 577). ADJUST COURT JURISDICTION/AMEND MAGISTRATE TERM. *AN ACT TO RAISE THE JURISDICTIONAL AMOUNT FOR SMALL CLAIMS ACTIONS TO FIVE THOUSAND DOLLARS, TO CLARIFY JURISDICTION FOR REVOCATION OF PROBATION WHEN PLEAS WERE ENTERED IN DISTRICT COURT, TO DEFINE DRUG TREATMENT COURT AS AN INTERMEDIATE PUNISHMENT, TO REQUIRE THE COURT TO GIVE NOTICE OF RIGHTS TO CONTEST MECHANICS' LIEN STORAGE CHARGES OF VEHICLES SEIZED UNDER THE DWI FORFEITURE LAWS, TO PERMIT CLERKS OF COURT TO GRANT DIVORCES IN UNCONTESTED ABSOLUTE DIVORCE ACTIONS, TO TERMINATE AS A MATTER OF LAW CERTAIN PARENTAL RIGHTS OF A PERSON CONVICTED OF CERTAIN CRIMES THAT RESULT IN THE VICTIM BECOMING PREGNANT, AND TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO CHANGE THE TERM OF OFFICE OF MAGISTRATES FOR AN INITIAL TERM OF TWO YEARS AND SUBSEQUENT TERMS OF FOUR YEARS.* Summarized in *Daily Bulletin* 3/31/03, 4/28/03, 4/30/03, and 7/17/04. Enacted July 26, 2004. Sections 1 and 4–6 are effective October 1, 2004. Sections 7–15 are effective December 1, 2004. Sections 2, 3, 16–18, and 20 are effective July 26, 2004. Section 19 becomes effective only upon approval by the voters of the constitutional amendment proposed in Section 16. If this amendment is approved, Section 19 becomes effective January 1, 2005.

SL 2004-129 (S 991). IMPROVE STATE IT EFFICIENCY AND PROJECT MANAGEMENT. *AN ACT TO IMPROVE STATE GOVERNMENT INFORMATION TECHNOLOGY PLANNING, ADOPT STANDARDS, MAKE PROJECT DEVELOPMENT MORE EFFICIENT, REDUCE COST OVERRUNS, PROVIDE ASSISTANCE TO STATE AGENCIES, AND INCREASE ACCOUNTABILITY.* Summarized in *Daily Bulletin* 7/1/04 and 7/16/04. Enacted July 27, 2004. Effective July 1, 2004.

SL 2004-130 (S 1058). UNC AND COMMUNITY COLLEGE TUITION/MILITARY STUDENTS. *AN ACT TO PROVIDE THAT A MEMBER OF THE MILITARY OR A DEPENDENT RELATIVE OF A MEMBER OF THE MILITARY WHO ATTENDS A CONSTITUENT UNIVERSITY OR A COMMUNITY COLLEGE SHALL BE CHARGED ONLY THE IN-STATE TUITION RATE AND TO AUTHORIZE IN-STATE TUITION FOR NONRESIDENT MEMBERS OF THE NORTH CAROLINA NATIONAL GUARD AND TO CLARIFY LAWS PROHIBITING DISCRIMINATION AGAINST PERSONS WHO SERVE IN THE NORTH CAROLINA NATIONAL GUARD.* Summarized in *Daily Bulletin* 5/13/04, 7/7/04, and 7/17/04. Enacted July 29, 2004. Effective August 1, 2004.

SL 2004-131 (S 1144). "IN GOD WE TRUST" SPECIAL PLATES. *AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE AN "IN GOD WE TRUST" SPECIAL REGISTRATION PLATE WITH THE PROCEEDS GOING TO THE AUBREY MCLELLAN SOLDIER AND AIRMAN ASSISTANCE FUND FOR FAMILIES OF DEPLOYED NORTH CAROLINA NATIONAL GUARDSMEN.* Summarized in *Daily Bulletin* 5/18/04. Enacted July 29, 2004. Effective July 29, 2004.

This publication is printed on permanent, acid-free paper in compliance with the North Carolina General Statutes.
Institute of Government—School of Government
The University of North Carolina at Chapel Hill

© 2004

SL 2004-132 (S 1063). ELIMINATE IRB WAGE STANDARD. *AN ACT TO ELIMINATE THE WAGE STANDARD FOR INDUSTRIAL REVENUE BONDS.* Summarized in *Daily Bulletin* 5/13/04, 6/9/04, 6/21/04, and 7/12/04. Enacted July 29, 2004. Effective July 29, 2004.

SL 2004-133 (H 1518). REQUIRE PAYMENT OF RESTITUTION FOR EXPUNCTION. *AN ACT REQUIRING A PERSON TO PAY ANY OUTSTANDING RESTITUTION ORDERS PRIOR TO THE EXPUNCTION OF THE PERSON'S CRIMINAL RECORD.* Summarized in *Daily Bulletin* 5/19/04 and 6/30/04. Enacted July 29, 2004. Effective September 1, 2004.

SL 2004-134 (H 1602). DELAYS DOLLAR LIMIT ON CREDIT FOR PARTNERSHIPS. *AN ACT TO DELAY THE IMPOSITION ON PARTNERSHIPS OF THE DOLLAR AMOUNT LIMITATION ON THE CREDIT ALLOWED FOR REAL PROPERTY DONATIONS.* Summarized in *Daily Bulletin* 6/28/04, 7/1/04, and 7/9/04. Enacted July 29, 2004. Effective July 29, 2004.

SL 2004-135 (S 74). NC VINEYARD AMENDMENTS. *AN ACT CONCERNING WINERY PERMITS.* Summarized in *Daily Bulletin* 7/9/04. Enacted July 29, 2004. Effective October 1, 2004.

SL 2004-136 (H 1513). INCREASE LOCAL GOVERNMENT DEATH BENEFIT. *AN ACT TO INCREASE THE MAXIMUM DEATH BENEFIT PAYABLE FROM THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM.* Summarized in *Daily Bulletin* 5/19/04 and 5/20/04. Enacted July 29, 2004. Effective July 1, 2004.

SL 2004-137 (S 1312). LOCAL GOVERNMENT EMPLOYEES/457 PLAN. *AN ACT TO AUTHORIZE PARTICIPATION IN 457 PLANS BY LOCAL GOVERNMENTAL EMPLOYEES.* Summarized in *Daily Bulletin* 5/25/04, 6/2/04, and 6/23/04. Enacted July 29, 2004. GS 143B-426.24(h1), as enacted by Section 1, is effective January 1, 2005. The remainder of this act is effective July 1, 2004.

SL 2004-138 (H 1420). REGIONAL AGENCY DEBT SETOFF. *AN ACT TO EXTEND TO LOCAL GOVERNMENTS ACTING JOINTLY THE SAME SETOFF DEBT COLLECTION PROCEDURES CURRENTLY ALLOWED TO LOCAL GOVERNMENTS ACTING ALONE AND CONCERNING THE GLOBAL TRANSPARK AUTHORITY.* Summarized in *Daily Bulletin* 5/12/04 and 7/6/04. Enacted July 29, 2004. Section 1 is effective January 1, 2004. The remainder of this act is effective July 29, 2004.

SL 2004-139 (S 470). COMPENSATION OF TRUSTEES/OTHER FIDUCIARIES. *AN ACT TO MODERNIZE THE LAW AFFECTING THE COMPENSATION OF TRUSTEES AND OTHER FIDUCIARIES.* Summarized in *Daily Bulletin* 3/20/03, 4/14/03, and 6/30/04. Enacted July 29, 2004. Effective January 1, 2005.

SL 2004-140 (S 1202). SEPTIC SYSTEM SETBACKS FOR PRE-1977 LOTS. *AN ACT TO SPECIFY THE MINIMUM HORIZONTAL SEPARATION DISTANCES BETWEEN A SUBSURFACE WASTEWATER DISPOSAL SYSTEM TO BE LOCATED ON A LOT OR TRACT OF LAND PLATTED PRIOR TO 1 JULY 1977, THAT WILL BE OPERATED IN SAND OR LOAMY SAND SOILS, AND THAT MEETS CERTAIN OTHER REQUIREMENTS, AND ANY OTHER SUBSURFACE WASTEWATER DISPOSAL SYSTEM.* Summarized in *Daily Bulletin* 5/20/04 and 6/29/04. Enacted July 29, 2004. Effective July 29, 2004.

SL 2004-141 (S 1078). VEHICLE CONTROL SIGNS AND SIGNALS. *AN ACT TO AMEND THE VEHICLE CONTROL SIGN AND SIGNAL LAW.* Summarized in *Daily Bulletin* 5/13/04 and 6/7/04. Enacted July 29, 2004. Effective July 1, 2004.

SL 2004-142 (H 173). COSMETIC ART/CONTINUING EDUCATION/PENALTY CHANGE. *AN ACT REQUIRING THE CONTINUING EDUCATION OF PERSONS PRACTICING UNDER THE COSMETIC ART ACT AND CLARIFYING THE REMITTANCE OF CIVIL PENALTIES UNDER THE ACT.* Summarized in *Daily Bulletin* 7/8/03, 7/9/03, 7/6/04, 7/7/04, and 7/14/04. Enacted July 29, 2004. Section 1 is effective October 1, 2004. Section 2 is effective July 29, 2004.

SL 2004-143 (H 1083). WATER CONSERVATION/SUBMETERS. *AN ACT TO PROMOTE WATER CONSERVATION IN MULTIFAMILY RESIDENTIAL PROPERTIES BY AMENDING VARIOUS STATE LAWS REGARDING THE USE OF SUBMETERS IN LIGHT OF CHANGES IN POLICY RELATED TO WATER TESTING REQUIREMENTS AND WATER CONSERVATION BY THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.* Summarized in *Daily Bulletin* 7/8/04. Enacted July 29, 2004. Effective August 1, 2004.

SL 2004-144 (S 1148). CARE FOR THE MENTALLY ILL IN LONG-TERM CARE FACILITIES. *AN ACT TO PROVIDE SUPPORT AND TRAINING FOR LONG-TERM CARE PROVIDERS CARING FOR RESIDENTS WITH*

MENTAL ILLNESSES, AS RECOMMENDED BY THE NORTH CAROLINA STUDY COMMISSION ON AGING. Summarized in *Daily Bulletin* 5/18/04, 6/2/04, and 7/1/04. Enacted July 29, 2004. Effective July 29, 2004.

SL 2004-145 (S 1043). AGGREGATE TRUCK WEIGHT LIMITS. *AN ACT TO ADJUST THE WEIGHT LIMITS FOR TRUCKS TRANSPORTING CERTAIN MATERIALS AND TO PROVIDE THAT A LAW ENFORCEMENT OFFICER CANNOT ISSUE A CITATION TO A PERSON FOR FAILING TO HAVE IN HIS POSSESSION A SPECIAL PERMIT FOR VEHICLES OF EXCESSIVE SIZE AND WEIGHT IF THE OFFICER DETERMINES THAT THE PERSON HAS BEEN ISSUED A PERMIT AND THE PERSON SUBMITS THE PERMIT WITHIN THIRTY DAYS OF THE VIOLATION.* Summarized in *Daily Bulletin* 5/11/04, 6/24/04, and 6/30/04. Enacted July 29, 2004. Section 3 is effective January 1, 2005. The remainder of this act is effective July 29, 2004.

SL 2004-146 (S 1384). AMEND BARBERING LAWS. *AN ACT AMENDING THE LAWS REGULATING THE PRACTICE OF BARBERING AND AUTHORIZING THE STATE BOARD OF BARBER EXAMINERS TO ASSESS CIVIL PENALTIES FOR VIOLATIONS OF THE LAWS OR RULES REGULATING THE PRACTICE OF BARBERING.* Summarized in *Daily Bulletin* 5/27/04, 6/17/04, 7/1/04, and 7/14/04. Enacted July 29, 2004. Effective July 29, 2004.

SL 2004-147 (H 1624). INCREASE RETIREES' CONTRIBUTORY DEATH BENEFIT. *AN ACT TO INCREASE THE CONTRIBUTORY DEATH BENEFIT FOR RETIRED MEMBERS OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, THE LEGISLATIVE RETIREMENT SYSTEM, AND THE CONSOLIDATED JUDICIAL RETIREMENT SYSTEM.* Summarized in *Daily Bulletin* 5/24/04. Enacted August 2, 2004. Effective July 1, 2004.

SL 2004-148 (H 1345). SPECIAL OFFICERS AUTHORITY/DOT TECHNICAL CORRECTIONS. *AN ACT TO AUTHORIZE STATE HIGHWAY PATROL MOTOR CARRIER ENFORCEMENT OFFICERS AND OFFICERS OF THE DIVISION OF MOTOR VEHICLES TO ENFORCE CERTAIN CRIMINAL LAWS, TO EXTEND THE TEMPORARY RULE-MAKING PERIOD FOR THE DEPARTMENT OF TRANSPORTATION TO ADOPT RULES FOR ELECTRONIC BIDDING, AND TO MAKE A TECHNICAL CORRECTION TO THE HIGHWAY TRUST FUND STATUTES AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE.* Summarized in *Daily Bulletin* 5/10/04 and 7/12/04. Enacted August 2, 2004. Effective August 2, 2004.

SL 2004-149 (H 669). HOSPITALS/LTC QUALITY ASSURANCE. *AN ACT TO AMEND THE DEFINITION OF A "PRIMARY CARE HOSPITAL" TO REFLECT FEDERAL REQUIREMENTS, TO IMPROVE THE QUALITY OF PATIENT CARE, TO PROTECT PATIENT-PHYSICIAN RELATIONSHIPS AND TO LIMIT MEDICAL DIRECTORS LIABILITY.* Summarized in *Daily Bulletin* 3/26/03, 4/9/03, and 7/14/04. Enacted August 2, 2004. Effective August 2, 2004.

SL 2004-150 (H 1427). AMEND SHELLFISH LAWS. *AN ACT TO AMEND THE STATUTES GOVERNING THE CULTIVATION OF SHELLFISH AND TO AUTHORIZE THE MARINE FISHERIES COMMISSION TO STUDY ISSUES RELATED TO THE CULTIVATION OF SHELLFISH.* Summarized in *Daily Bulletin* 5/13/04, 6/29/04, 7/1/04, 7/7/04, and 7/8/04. Enacted August 2, 2004. Sections 2, 3, and 5 are effective July 1, 2005. The remainder of this act is effective August 2, 2004.

SL 2004-151 (S 137). SPECIAL OBLIGATION DEBT/PURPOSES. *AN ACT TO AUTHORIZE MUNICIPAL SERVICE DISTRICTS FOR TRANSIT-ORIENTED DEVELOPMENT AND TO AUTHORIZE CITIES TO USE SPECIAL OBLIGATION FINANCING FOR PROJECTS WITHIN MUNICIPAL SERVICE DISTRICTS.* Summarized in *Daily Bulletin* 2/24/03, 6/12/03, 7/19/03, and 7/16/04. Enacted August 2, 2004. Effective August 2, 2004.

SL 2004-152 (H 1213). MONETARY COMPENSATION/OUTDOOR ADVERTISING. *AN ACT TO REQUIRE LOCAL GOVERNMENTS TO PAY MONETARY COMPENSATION FOR REMOVAL OF LAWFULLY ERECTED OFF-PREMISES OUTDOOR ADVERTISING SIGNS AND TO AUTHORIZE LOCAL GOVERNMENTS TO ENTER INTO RELOCATION AND RECONSTRUCTION AGREEMENTS WITH OWNERS OF NONCONFORMING OFF-PREMISES OUTDOOR ADVERTISING SIGNS.* Summarized in *Daily Bulletin* 7/16/04. Enacted August 2, 2004. Effective August 2, 2004.

SL 2004-153 (H 1636). RENEWABLE FUEL TAX CREDITS. *AN ACT TO PROVIDE TAX CREDITS FOR DISPENSING AND PROCESSING RENEWABLE FUELS.* Summarized in *Daily Bulletin* 5/24/04, 6/29/04, and 7/16/04. Enacted August 2, 2004. Effective for taxable years beginning on or after January 1, 2005.

SL 2004-154 (S 52). CLARIFICATIONS REGARDING MEDIATION. *AN ACT TO CLARIFY THAT PERSONNEL MEDIATIONS BY THE UNIVERSITY OF NORTH CAROLINA SYSTEM ARE NOT CONSIDERED*

"PRACTICE LAW"; THAT RECORDS CREATED AS PART OF THOSE PERSONNEL MEDIATIONS ARE NOT PUBLIC RECORDS; AND THAT PARTICIPANTS IN THOSE PERSONNEL MEDIATIONS ARE TREATED SIMILARLY TO PARTICIPANTS IN OTHER MEDIATIONS, TO PROVIDE FOR OPEN DISCOVERY IN ALL FELONY CASES, AND TO MAKE CERTAIN OTHER AMENDMENTS TO THE LAWS REGARDING DISCOVERY IN CRIMINAL CASES. Summarized in *Daily Bulletin* 7/13/04. Enacted August 2, 2004. Sections 3–11 are effective October 1, 2004. The remainder of this act is effective August 2, 2004.

SL 2004-155 (H 1665). VENUE FOR JUVENILE HEARINGS. *AN ACT TO REQUIRE THE DISPOSITIONAL HEARING OF A JUVENILE WHO IS IN RESIDENTIAL TREATMENT BE HELD IN THE COUNTY IN WHICH THE JUVENILE IS RECEIVING TREATMENT.* Summarized in *Daily Bulletin* 5/26/04 and 6/29/04. Enacted August 2, 2004. Effective October 1, 2004.

SL 2004-156 (H 1449). APA TECHNICAL/CLARIFYING CHANGES. *AN ACT TO MAKE TECHNICAL AND CLARIFYING CHANGES TO THE ADMINISTRATIVE PROCEDURE ACT.* Summarized in *Daily Bulletin* 5/17/04, 6/15/04, 6/30/04, and 7/8/04. Enacted August 2, 2004. Section 4 is effective October 1, 2004. The remainder of this act is effective August 2, 2004.

SL 2004-157 (S 657). TANNING SALONS/RESTRICTIONS ON USE. *AN ACT TO PROVIDE THAT OPERATORS OF TANNING EQUIPMENT SHALL PROVIDE WARNING STATEMENTS TO CONSUMERS REGARDING THE HAZARDS OF EXPOSURE TO ULTRAVIOLET RADIATION AND SHALL OBTAIN A CONSUMER'S ACKNOWLEDGMENT OF THE WARNING BEFORE THE CONSUMER'S INITIAL USE; TO PROVIDE THAT OPERATORS SHALL NOT ALLOW A PERSON 13 YEARS AND YOUNGER TO USE TANNING EQUIPMENT WITHOUT A WRITTEN PRESCRIPTION; TO PROHIBIT OPERATORS AND OWNERS FROM CLAIMING THAT USING TANNING EQUIPMENT IS SAFE; TO PERMIT THE RADIATION PROTECTION COMMISSION TO ADOPT RULES IMPLEMENTING THIS ACT THAT SHALL BE ENFORCED BY THE DEPARTMENT OF HEALTH AND HUMAN SERVICES; TO DEFINE THE TERMS "CONSUMER", "TANNING FACILITY", AND "TANNING EQUIPMENT"; AND TO MAKE THIS ACT EFFECTIVE OCTOBER 1, 2004.* Summarized in *Daily Bulletin* 4/1/03, 4/10/03, 7/16/04, and 7/17/04. Enacted August 2, 2004. Effective October 1, 2004.

SL 2004-158 (S 64). 2004 APPOINTMENTS BILL. *AN ACT TO APPOINT PERSONS TO VARIOUS PUBLIC OFFICES UPON THE RECOMMENDATION OF THE PRESIDENT PRO TEMPORE OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND TO MODIFY THE MEMBERS OF THE CENTENNIAL AUTHORITY.* Summarized in *Daily Bulletin* 7/17/04. Enacted August 2, 2004. Effective August 2, 2004, except as otherwise provided.

SL 2004-159 (H 1519). CRIME VICTIMS FINANCIAL RECOVERY ASSISTANCE ACT. *AN ACT TO PREVENT CRIMINALS FROM PROFITING FROM THEIR CRIMES AND TO BETTER ENABLE CRIME VICTIMS TO SATISFY RESTITUTION ORDERS AND CIVIL JUDGMENTS ENTERED AGAINST THEIR OFFENDERS FROM THE OFFENDERS' ASSETS, WHICH MAY INCLUDE PROFIT FROM CRIME.* Summarized in *Daily Bulletin* 5/19/04, 6/2/04, and 7/12/04. Enacted August 2, 2004. Effective October 1, 2004.

SL 2004-160 (H 1429). AMEND FISHERY MANAGEMENT PLAN REQUIREMENTS. *AN ACT TO REQUIRE FISHERY MANAGEMENT PLANS TO ACHIEVE SUSTAINABLE HARVEST RATHER THAN OPTIMAL YIELD AND TO SPECIFY A TIME PERIOD FOR ENDING OVERFISHING AND REBUILDING A FISHERY.* Summarized in *Daily Bulletin* 5/13/04 and 7/14/04. Enacted August 2, 2004. Effective August 2, 2004.

SL 2004-161 (S 1152). STUDIES ACT OF 2004. *AN ACT CONCERNING STUDIES AND OTHER PURPOSES.* Summarized in *Daily Bulletin* 7/16/04 and 7/18/04. Enacted August 2, 2004. Effective August 2, 2004, except as otherwise provided. If a study is authorized both in this act and in the Appropriations Act, the study shall be implemented in accordance with the Appropriations Act as ratified.

SL 2004-162 (S 20). REGULATE PROFESSIONAL EMPLOYER ORGANIZATIONS. *AN ACT TO REQUIRE LICENSURE OF PROFESSIONAL EMPLOYER ORGANIZATIONS.* Summarized in *Daily Bulletin* 2/10/03, 7/10/03, 6/28/04, 7/7/04, 7/12/04, and 7/13/04. Enacted August 2, 2004. Effective January 1, 2005.

SL 2004-163 (S 1210). PHASE II STORMWATER MANAGEMENT–1. *AN ACT TO PROVIDE FOR THE TEMPORARY IMPLEMENTATION OF FEDERAL PHASE II STORMWATER MANAGEMENT REQUIREMENTS BY PROVIDING: (1) THAT LOCAL GOVERNMENT APPLICATIONS FOR PHASE II STORMWATER PERMITS THAT WERE SUBMITTED IN ACCORDANCE WITH THE TEMPORARY STORMWATER RULE WILL BE DEEMED TIMELY RECEIVED; (2) STANDARDS FOR THE EVALUATION OF APPLICATIONS FOR PHASE II STORMWATER PERMITS; (3) AN EXEMPTION FROM PHASE II STORMWATER PERMIT REQUIREMENTS*

FOR CERTAIN SMALL MUNICIPALITIES; (4) THAT NEW DEVELOPMENT AND REDEVELOPMENT LOCATED IN A REGULATED COVERAGE AREA MUST COMPLY WITH THE STORMWATER MANAGEMENT RULE; (5) THAT THE ENVIRONMENTAL MANAGEMENT COMMISSION WILL ADMINISTER AND ENFORCE THE STORMWATER MANAGEMENT RULE IN A REGULATED COVERAGE AREA UNLESS A COUNTY VOLUNTARILY UNDERTAKES TO IMPLEMENT A LOCAL STORMWATER MANAGEMENT PROGRAM; (6) FOR THE COORDINATION OF PHASE II STORMWATER MANAGEMENT PROGRAMS AND OTHER EXISTING STATE PROGRAMS THAT REGULATE STORMWATER IN ORDER TO AVOID CONFLICTING, DUPLICATIVE, OR INCONSISTENT STORMWATER MANAGEMENT REQUIREMENTS; (7) THAT A LOCAL GOVERNMENT MAY OPT TO BE COVERED UNDER A GENERAL STORMWATER PERMIT DEVELOPED BY THE ENVIRONMENTAL MANAGEMENT COMMISSION; (8) DEADLINES FOR WHEN THE ENVIRONMENTAL MANAGEMENT COMMISSION MUST MAKE CERTAIN PHASE II STORMWATER PERMITTING DECISIONS; (9) DESIGNATION AND PETITION PROCESSES BY WHICH ADDITIONAL LOCAL GOVERNMENTS AND OTHER ENTITIES MAY BE REQUIRED TO OBTAIN A PHASE II STORMWATER PERMIT; (10) FOR THE DEVELOPMENT OF A STORMWATER MODEL ORDINANCE AND STORMWATER DESIGN MANUAL; (11) FOR THE ROLES OF STATE AND LOCAL GOVERNMENTS IN REGULATING THE STORMWATER IMPACTS OF FEDERAL AND STATE PROJECTS; (12) DEFINITIONS OF TERMS TO BE USED IN THE IMPLEMENTATION OF THIS ACT; (13) THAT CERTAIN AGRICULTURE AND FORESTRY ACTIVITIES ARE EXEMPT FROM PHASE II STORMWATER PERMIT REQUIREMENTS; AND (14) HOW THE ACT SHALL BE CONSTRUED, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION. Summarized in *Daily Bulletin* 5/20/04, 6/29/04, and 6/30/04. Enacted August 2, 2004. Effective August 2, 2004.

SL 2004-164 (H 1723). CHARTER SCHOOL RETIREMENT ELECTION. *AN ACT TO AUTHORIZE EXISTING CHARTER SCHOOLS TO ELECT TO PARTICIPATE IN THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM AND THE NORTH CAROLINA TEACHERS' AND STATE EMPLOYEES' MAJOR MEDICAL PLAN.* Summarized in *Daily Bulletin* 5/27/04, 6/23/04, and 7/7/04. Enacted August 2, 2004. Effective August 2, 2004.

SL 2004-165 (S 916). PREVENT WORKPLACE VIOLENCE. *AN ACT TO ESTABLISH CIVIL NO-CONTACT ORDERS FOR THE PROTECTION OF EMPLOYEES FROM WORKPLACE VIOLENCE.* Summarized in *Daily Bulletin* 4/3/03, 4/30/03, 4/30/03, 7/8/04, and 7/15/04. Enacted August 2, 2004. Effective December 1, 2004.

SL 2004-166 (H 1107). FORTIFY AGAINST UNAUTHORIZED INSURANCE. *AN ACT TO CLARIFY THE CIVIL LIABILITY AND INCREASE THE CRIMINAL PENALTY FOR PERSONS WHO REPRESENT UNAUTHORIZED INSURERS AND TO PROVIDE THAT SUCH ACTIVITY IS GROUNDS FOR REVOCATION OF THE LICENSE OF THE INSURANCE AGENT OR BROKER; AND TO LIMIT DIRECT PROCUREMENT OF INSURANCE ONLY THROUGH ELIGIBLE SURPLUS LINES INSURERS.* Summarized in *Daily Bulletin* 7/6/04. Enacted August 2, 2004. Effective December 1, 2004.

SL 2004-167 (S 1083). STAGGERED PLATES/SAFETY INSPECTION CHANGE. *AN ACT TO PROVIDE FOR STAGGERED ISSUANCE OF COMMERCIAL LICENSE PLATES, DEALER LICENSE PLATES, AND MOTOR VEHICLE DEALERS AND MANUFACTURERS LICENSES, AND TO EXEMPT HISTORIC VEHICLES FROM THE REQUIREMENT FOR A SAFETY INSPECTION.* Summarized in *Daily Bulletin* 5/13/04 and 6/30/04. Enacted August 2, 2004. Effective January 1, 2005.

SL 2004-168 (S 1089). DOT AUTHORITY TO RECEIVE FUNDS FROM LOCAL GOVERNMENTS. *AN ACT TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO RECEIVE FUNDS FROM LOCAL GOVERNMENTS TO ADVANCE THE CONSTRUCTION SCHEDULE OF TIP PROJECTS.* Summarized in *Daily Bulletin* 5/13/04. Enacted August 2, 2004. Effective August 2, 2004.

SL 2004-169 (S 805). BEAUTIFY MALL. *AN ACT TO BEAUTIFY THE STATE GOVERNMENT MALL.* Summarized in *Daily Bulletin* 7/17/04. Enacted August 2, 2004. Effective August 2, 2004.

SL 2004-170 (S 1145). REVENUE LAWS TECHNICAL CHANGES. *AN ACT TO MAKE TECHNICAL AND CONFORMING CHANGES TO THE REVENUE LAWS AND RELATED STATUTES, TO CLARIFY THAT THE CREDIT FOR CREATING JOBS IS ALLOWED ONLY FOR NEW JOBS CREATED IN THIS STATE, AND TO PROHIBIT THE USE OF FUTURE ROOM TAX COLLECTIONS IN CERTAIN COUNTIES AND CITIES TO DEVELOP OR CONSTRUCT A HOTEL OR SIMILAR LODGING FACILITY.* Summarized in *Daily Bulletin* 5/18/04, 6/7/04, 6/28/04, and 7/7/04. Enacted August 2, 2004. Effective August 2, 2004, except as otherwise provided.

SL 2004-171 (S 676). REVISE THE BANKING LAWS OF NORTH CAROLINA. *AN ACT TO AMEND CERTAIN BANKING LAWS OF NORTH CAROLINA AND TO AUTHORIZE THE LEGISLATIVE RESEARCH*

COMMISSION TO STUDY THE NEED FOR FURTHER AMENDMENTS TO THE STATE BANKING LAWS. Summarized in *Daily Bulletin* 4/2/03, 5/13/03, 7/14/03, 7/19/03, and 7/12/04. Enacted August 2, 2004. Effective October 1, 2004.

SL 2004-172 (H 965). INCREASE PENALTIES FOR FAILURE TO YIELD. *AN ACT TO PROVIDE PENALTIES FOR PERSONS WHO CAUSE SERIOUS BODILY INJURY WHEN FAILING TO YIELD THE RIGHT-OF-WAY UNDER CERTAIN CIRCUMSTANCES; TO CLARIFY WHEN A PEDESTRIAN HAS THE RIGHT-OF-WAY AT AN INTERSECTION WHERE TRAFFIC IS ALLOWED TO TURN RIGHT ON A RED LIGHT, TO INCREASE THE PENALTY FOR FAILURE TO YIELD THE RIGHT-OF-WAY TO A PEDESTRIAN WHEN TURNING RIGHT AT A RED LIGHT; TO INCREASE THE DRIVERS LICENSE POINTS ASSESSED FOR FAILURE TO YIELD THE RIGHT-OF-WAY TO A BICYCLE, MOTOR SCOOTER, MOTORCYCLE, OR PEDESTRIAN; AND TO COLLECT DATA REGARDING PEDESTRIAN ACCIDENTS WHERE VEHICLES ARE TURNING RIGHT AT A RED LIGHT.* Summarized in *Daily Bulletin* 4/9/03, 4/30/03, 5/1/03, and 6/30/04. Enacted August 2, 2004. Effective December 1, 2004.

SL 2004-173 (S 277). EXEMPT HIGHER EDUCATION PROPERTY. *AN ACT TO EXEMPT FROM PROPERTY TAX EDUCATIONAL PROPERTY HELD BY A NONPROFIT ENTITY FOR A PUBLIC OR PRIVATE UNIVERSITY OR COMMUNITY COLLEGE LOCATED IN NORTH CAROLINA.* Summarized in *Daily Bulletin* 3/4/03, 5/15/03, 5/20/03, and 7/18/04. Enacted August 2, 2004. Effective for taxable years beginning on or after July 1, 2004.

SL 2004-174 (H 356). FEES. *AN ACT TO AMEND THE AUTHORITY OF THE NORTH CAROLINA STATE BAR CONCERNING PARALEGALS AND FEES RELATING TO CERTIFICATION AND TO EXTEND THE SUNSET OF THE INDUSTRIAL COMMISSION FEE EARMARKED FOR INFORMATION TECHNOLOGY.* Summarized in *Daily Bulletin* 7/6/04. Enacted August 2, 2004. Effective October 1, 2004.

SL 2004-175 (H 1463). HEALTH INSURANCE INNOVATIONS COMMISSION. *AN ACT TO ESTABLISH THE NORTH CAROLINA HEALTH INSURANCE INNOVATIONS COMMISSION.* Summarized in *Daily Bulletin* 5/17/04, 6/9/04, 6/10/04, 6/23/04, 6/29/04, and 7/16/04. Enacted August 2, 2004. Effective July 1, 2004.

SL 2004-176 (H 1112). PHOSPHORUS NUTRIENT MANAGEMENT/ANIMAL FEEDLOTS. *AN ACT TO IMPLEMENT REQUIREMENTS APPLICABLE TO NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES) PERMITS AND ANIMAL WASTE MANAGEMENT PLANS GOVERNING ANIMAL FEEDING OPERATIONS TO MAKE THE STATE PERMIT REQUIREMENTS CONSISTENT WITH FEDERAL REQUIREMENTS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.* Summarized in *Daily Bulletin* 7/8/04 and 7/9/04. Enacted August 2, 2004. Effective January 1, 2005.

SL 2004-177 (S 1128). LOCKSMITH CRIMINAL HISTORY RECORD CHECK FEE. *AN ACT TO AUTHORIZE THE NORTH CAROLINA DEPARTMENT OF JUSTICE TO CHARGE EACH APPLICANT FOR A LOCKSMITH LICENSE OR AN APPRENTICE DESIGNATION A CRIMINAL HISTORY RECORD CHECK FEE AND TO MAKE A TECHNICAL CORRECTION.* Summarized in *Daily Bulletin* 5/18/04 and 5/27/04. Enacted August 2, 2004. Effective August 2, 2004.

SL 2004-178 (S 1054). INCREASE METHAMPHETAMINE PENALTIES. *AN ACT TO PROVIDE THAT THE UNLAWFUL DISTRIBUTION OF METHAMPHETAMINE THAT PROXIMATELY RESULTS IN THE DEATH OF A PERSON IS SECOND DEGREE MURDER, TO MAKE IT AN AGGRAVATING FACTOR TO MANUFACTURE METHAMPHETAMINE IN A LOCATION THAT ENDANGERS A CHILD, TO INCREASE THE CRIMINAL PENALTY FOR THE UNLAWFUL MANUFACTURE OF METHAMPHETAMINE, AND TO INCREASE THE CRIMINAL PENALTY FOR THE POSSESSION OF PRECURSOR SUBSTANCES FOR METHAMPHETAMINE, AS RECOMMENDED BY THE JOINT LEGISLATIVE CORRECTIONS, CRIME CONTROL, AND JUVENILE JUSTICE OVERSIGHT COMMITTEE, TO REQUIRE THE COMMISSION FOR HEALTH SERVICES TO ESTABLISH DECONTAMINATION STANDARDS FOR PROPERTY USED FOR THE MANUFACTURE OF METHAMPHETAMINE, TO IMPOSE AN ENHANCED SENTENCE FOR CONVICTION OF MANUFACTURE OF METHAMPHETAMINE IF THE OFFENSE RESULTS IN SERIOUS INJURY TO A LAW ENFORCEMENT OFFICER, PROBATION OR PAROLE OFFICER, EMS EMPLOYEE, OR FIREFIGHTER AND TO PROVIDE IMMUNITY FROM CIVIL AND CRIMINAL LIABILITY FOR CERTAIN GOOD FAITH ACTIONS OF A PERSON PARTICIPATING IN A METHAMPHETAMINE WATCH PROGRAM.* Summarized in *Daily Bulletin* 5/12/04, 5/27/04, 7/6/04, and 7/9/04. Enacted August 3, 2004. Section 7 of this act is effective January 1, 2005. Section 9 is effective August 3, 2004. The remainder of this act is effective December 1, 2004.

LEGISLATION PENDING APPROVAL OF THE GOVERNOR

$	H 281=	2003 TECHNICAL CORRECTIONS ACT.	*H	07-19-2004	Pres. To Gov. 7/19/2004
	H 817	GUN SALE LEGAL W/CONCEALED HANDGUN PERMIT.	*H	07-16-2004	Pres. To Gov. 7/15/2004
	H 831=	SALTWATER FISHING FUND/HOLDOVER APPOINTMENTS.	*H	07-18-2004	Pres. To Gov. 7/18/2004
	H 859	BOARD OF FUNERAL SERVICE.	*H	07-17-2004	Pres. To Gov. 7/16/2004
	H 951	CREATE CIVIL NO-CONTACT PROTECTIVE ORDERS.	*H	07-15-2004	Pres. To Gov. 7/14/2004
	H1046	AGGRESSIVE DRIVING.	*H	07-17-2004	Pres. To Gov. 7/16/2004
	H1264	FINANCE VITAL PROJECTS/STUDIES.	*H	07-18-2004	Pres. To Gov. 7/18/2004
	H1354	STRENGTHEN DOMESTIC VIOLENCE LAWS.	*H	07-16-2004	Pres. To Gov. 7/15/2004
	H1356	INCREASE FEES/QUALIFS. FOR DWI ASSESSMENTS.	H	07-12-2004	Pres. To Gov. 7/9/2004
	H1453	DISCHARGING FIREARM ON SCHOOL PROPERTY.	*H	07-16-2004	Pres. To Gov. 7/15/2004
	H1464=	SCHOOL CALENDAR CHANGES.	*H	07-19-2004	Pres. To Gov. 7/19/2004
	H1594	ALARM SYSTEMS LICENSE FEES.	*H	07-17-2004	Pres. To Gov. 7/16/2004
$	H1699=	UNC NONAPPROPRIATED CAPITAL PROJECTS.	H	07-17-2004	Pres. To Gov. 7/16/2004
$	S 3	NC MOTORSPORTS TESTING AND RESEARCH/FUNDS.	*S	07-19-2004	Pres. To Gov. 7/19/2004
	S 230=	REPEAL UCC ARTICLE ON BULK SALES.	*S	07-12-2004	Pres. To Gov. 7/9/2004
$	S 464	NRA SPECIAL PLATE.	*S	07-16-2004	Pres. To Gov. 7/15/2004
	S 754=	STOCK CAR RACING THEME SPECIAL PLATES.	*S	07-13-2004	Pres. To Gov. 7/12/2004
	S 823=	AMEND ENVIRONMENTAL LAWS-3/APPOINTMENTS.	*S	07-18-2004	Pres. To Gov. 7/18/2004
	S 852	ORGAN DONOR ORG'S./ACCESS TO DMV RECORDS.	*S	07-14-2004	Pres. To Gov. 7/13/2004
	S 933=	WETLANDS REIMBURSEMENT/LOCAL TAX BASE.	S	07-12-2004	Pres. To Gov. 7/9/2004
	S1008	NON-STATE ENTITIES REPORTING REQUIREMENTS.	*S	07-19-2004	Pres. To Gov. 7/19/2004
	S1118=	SPECIAL LICENSE PLATES.	*S	07-18-2004	Pres. To Gov. 7/18/2004
	S1218	CHILD RESTRAINT SYSTEMS MODIFIED.	*S	07-16-2004	Pres. To Gov. 7/15/2004
	S1225=	2004 TECHNICAL CORRECTIONS ACT.	*S	07-19-2004	Pres. To Gov. 7/19/2004
	S1244	NC CEMETERY ACT/FEES/BILL LEE TIERS.	*S	07-15-2004	Pres. To Gov. 7/14/2004

'$' indicates the bill is an appropriations bill.
'*' indicates that the text of the original bill was changed by some action.
'=' indicates that the original bill is identical to another bill.

NOTE

The Institute of Government will publish additional *Daily Bulletin*s as needed to report final action on bills pending approval of the Governor. We will resume regular publication of the *Daily Bulletin* when the 2005 Session convenes on January 26, 2005.

The North Carolina Constitution provides that the Governor has thirty days to consider legislation presented to him in the last ten days of a legislative session. If the Governor should veto one of these bills, the General Assembly must reconvene within forty days of adjournment for the sole purpose of reconsidering the vetoed bills (unless a majority of members of each chamber state in written requests that such a session is not necessary).

NEXT SESSIONS

January 26, 2005

HOUSE convenes at 12:00 p.m.

SENATE convenes at 12:00 p.m.

424 M7 P 642
05/14/07 45118 MC
ILRGroup